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PRESS RELEASE

Overview of the 18th ACP-EU JPA

Resolutions and reports adopted:

1. Climate change
2. Situation in Madagascar
3. The impact of the financial crisis on the ACP States
4. Global Governance and the Reform of International Organisations
5. Social and cultural integration and participation of young people
6. HIV/AIDS
7. Declaration on Niger
8. Luanda Declaration

**The next ACP-EU JPA takes place in
Tenerife, Spain
from 29 March to 1 April 2010**

Directorate-General for Communication
EUROPEAN PARLIAMENT

OVERVIEW OF THE 18TH ACP-EU JPA

1. Copenhagen Summit: agreement should be based on differentiated responsibility

Debate: 01.12.2009

The ACP-EU JPA calls for a legally binding agreement to be reached in Copenhagen by the end of this year, coming into force on 1 January 2013. The agreement should place the emphasis on "fairness and social justice" and be based on the principle of a "common but differentiated responsibility", with the industrialised countries taking the lead in reducing their domestic emissions while the developing countries and the emerging economies also commit themselves to taking nationally appropriate mitigation actions, says the resolution.

According to the resolution, climate change has already pushed over 12 million people into poverty, while 300.000 people are dying every year from its adverse effects, and 20 million more will fall into poverty by 2030. The Least Developed Countries, which have limited capacity and lack resources to adapt to climate change, will suffer the most although they have contributed the least to global warming.

The ACP-EU Assembly calls on industrialised countries to take the lead in addressing the climate change issues by making legally binding commitments to reduce emissions by 25 to 40 % below 1990 levels by 2020, and by between 80 and 95% below 1990 levels by 2050.

MEPs and MPs from ACP countries stress that the financial resources needed to counter climate change must be "additional and allocated primarily as subsidies" and call on the international community to explore innovative financing mechanisms in order to increase its financial support for adaption to and mitigation of climate change for developing countries.

Technological transfers should be organised speedily, so it is possible to address emergency situations associated with ecological disasters (drought, floods, etc.), the Assembly says.

The EU and emerging and developing countries' governments are also urged to actively integrate environmental, social and climate change dimensions in country and regional strategy papers as well as in all development programmes and projects.

Additionally, the international community should identify and address the legal shortfalls that exist in respect of the protection of people affected by climate-induced displacement and migration and to initiate a specific assistance and protection system, states the resolution.

2. Madagascar: ACP-EU Assembly condemns "Coup"

Debate: 02.12.2009

The ACP-EU Assembly condemns "vigorously" the seizure of power in Madagascar, which is "nothing less than a Coup", according to the resolution. The JPA calls for a return to constitutional order and insists that the Malagasy Parliament must be reinstated immediately and involved in the efforts to resolve the crisis.

The JPA condemns the seizure of power in Madagascar, "in flagrant breach of the national constitution", and the decision to entrust the Presidency of the Republic to Mr Andry Rajoelina, who, after suspending the National Assembly and the Senate, proclaimed himself President of the Republic and head of the High Authority of Transition on 17 March 2009.

This amounts to "nothing less than a coup d'état", according to the ACP-EU Assembly. The African Union and the Southern African Development Community (SADC) have suspended Madagascar from both organisations' membership. The EU suspended funding to the country, apart from humanitarian assistance and certain programmes and projects of direct benefit to the population, until it is satisfied that the roadmap to return constitutional order is credible.

The Assembly calls for a return to constitutional republican order and asks the four political groupings involved to reach consensus on the sharing of positions of responsibility and government posts, in accordance with Maputo and Addis Ababa commitments. In the event of failure to respect the undertakings given in Maputo and Addis Ababa, individual sanctions should be put in place.

The resolution insists that the Malagasy Parliament must be reinstated immediately and involved in the efforts to resolve the crisis and calls for the immediate release of all political prisoners.

MEPs and their ACP counterparts ask that an international independent inquiry be put in place to assess human rights violations and call on the international community and the EU to gradually resume aid to Madagascar, as soon as the transitional institutions of the government of national unity are in place.

On 6 July 2009, the EU initiated a consultation process with the Republic of Madagascar under Article 96 of the Cotonou Agreement, thereby opening a dialogue to explore means of finding appropriate solutions to the country's political problems. This article lays down the possibility of taking appropriate measures (including the suspension of the Agreement) in cases of violation by one of the parties of the requirements of essential elements of the Agreement, namely respect for human rights, democratic principles and the rule of law.

3. EU should play a decisive role in mitigating effects of the crisis on ACP countries

Debate: 01.12.2009

Co-rapporteurs: Joseph K. Mugambé (Uganda) and Hans-Peter Mayer (Germany)

The impact of the economic and financial crisis jeopardizes advances made, as well as the achievement of the Millennium Development Goals, says the ACP-EU JPA in a resolution. The EU is required to play a decisive role in mitigating the immediate and long-term effects of the crisis on ACP countries. The effects of the crisis should also be taken into account in the negotiations of the Economic Partnership Agreements (EPAs).

The Assembly encourages donor countries and ACP countries to direct short- and medium-term spending towards the poorest population strata and key sectors (health, education,

agriculture and rural infrastructure, job creation, water for drinking and for production sectors).

The ACP countries are dependant on commodity exports earnings which account for 50% of their foreign exchange, and the crisis has led to a drop in export earnings for many developing countries, the transfer of funds to these countries, foreign direct investment, and official development assistance, states the resolution.

The impact of the economic and financial crisis jeopardizes advances made, as well as the achievement of the Millennium Development Goals, says the Assembly, asking the EU to play a decisive role in mitigating the immediate and long-term effects of the crisis on ACP countries. The effects of the crisis should also be taken into account in the negotiations of the Economic Partnership Agreements (EPAs).

According to the committee, donors' contributions are still USD 35 billion per annum short on the promise they made on annual aid flows at the G8 meeting in Gleneagles in 2005, and USD 20 billion per annum short on aid to Africa.

The Assembly urges donor countries to further explore existing possibilities in terms of additional and innovative sources of financing for development, such as an international financial transaction tax, and to identify new ones. On the other hand, it calls on ACP countries to increase good governance and transparency in national finances in order to improve budget predictability, implementation and control.

The resolution calls on the EU Member States and on rich countries to cancel the foreign debts of all impoverished countries, without onerous economic policy conditions.

EU Member States should also consider and implement measures outside the financial sector, especially cutting-edge technology transfers, in areas as environmental protection.

The Assembly recalls the need, amplified by the economic crisis, for EU Member States to implement an approach to migration which is respectful of human rights and in accordance with development objectives. The social and cultural dimensions of migration must also be enhanced, states the resolution.

4. Global governance and reform of international institutions

Debate: 02.12.2009

Co-rapporteurs: Donald Ramotar (Guyana) and Miguel Angel Martínez Martínez (Spain)

Global institutions should be more representative, democratic and inclusive, allowing developing nations, in particular in Africa, to be more influential and to enjoy greater decision-making capacity. The Assembly calls on the UN and WTO to attach higher priority to parliamentary input and the World Bank to give higher priority to development issues, climate change and promotion of health and education.

The G20 is more inclusive than the G8 but nevertheless excludes 85% of the world's population, states the resolution. The Assembly asks the G20 to give G77 members a seat at the negotiating table.

Members insist on fairer voting rights for developing and emerging economies on the International Monetary Found (IMF) executive board and the World Bank board of governors

and call for a new double-majority voting system based on one-member-one vote, as well as on economic weight.

The resolution also calls for an end to the US right of veto at the IMF and World Bank and urge the UN Security Council to enlarge its membership.

An ambitious, fair and sustainable deal on climate change

The Assembly urges all governments at the December Copenhagen climate summit to strike an "ambitious, fair and sustainable deal", sharing the burden equitably between industrialised and developing nations and taking into account countries' different degrees of responsibility for climate change.

Decent work and environmental protection

The international community is called to implement high standards of social and environmental protection and workers' rights, including the 'decent work' agenda, and to support developing countries in applying these standards. All governments should respect the right of free bargaining, of collective agreements and guarantee the right to strike.

Countermeasures against tax havens as of 2010

The Assembly urges G20 members and the EU and ACP countries to take speedy action to eradicate tax havens and combat banking secrecy, stepping up international cooperation, automatic information exchange, country-by-country reporting standards for multinationals and capacity building in countries affected by capital flight. Members look forward to the G20's promised countermeasures against tax havens as of 2010.

Members exhort governments to cap executive pay to "avoid obscene levels of remuneration", and to regulate incentive schemes in the financial sector that threaten the stability of the system. They welcome the Pittsburgh G20's support for aligning compensation and remuneration with long-term value creation and not with excessive risk-taking.

WTO and EPAs

The resolution urges all WTO members to work towards an equitable outcome for the Doha Development Round which curtails protectionism but reflects the different capacities and levels of development that exist between stronger and weaker economies, and allows ACP States' to protect their most vulnerable industries.

In the context of the economic partnership agreements, the Assembly asks the EU to respect those ACP countries that decide not to move to a full EPA or choose to renegotiate controversial areas of interim EPAs.

5. More opportunities needed for young people from ACP countries

Debate: 01.12.2009

Rapporteurs: Mr Manuel Jiménez (Dominican Republic) and Mr Olle Schmidt (Sweden)

Governments should give more attention to young people aged 15-24, who represent 31% of the population of the developing countries. Members of the European Parliament and their counterparts from the ACP countries call for a better access to education, employment and technologies to young people, in a resolution adopted on Saturday by the Social Affairs and Environment Committee.

Young people between 15 and 24 constitute 18% of the world's population or 1.2 billion people, almost 85% of which live in developing countries. They represent 25% of the global working-age population, but accounted for 43.7% of the unemployed in 2007.

To ensure a better integration and participation of young people in society, EU Member States and ACP countries should guarantee them full enjoyment of their rights and freedoms.

The minimum age for voting should not be above 18 years of age to ensure full participation of youth in society, says the Assembly. Active participation of young people in society is essential both for their personal development and for sound and democratic national and global development, states the resolution.

The Assembly calls on the EU to enhance the protection measures for all young third country nationals working legally in Europe by working towards a definition of the status of semi-skilled and non-skilled labour. The EU and ACP governments should also create programmes to curtail brain drain of young people from developing countries.

Migration has become one of the coping mechanisms used by young people to expand their options for education and opportunities to work, states the resolution. The Assembly calls on EU Member States to ensure respect of young migrants' rights and the same access to education, social services and economic opportunities as those enjoyed by the citizens of the given country.

The Assembly calls on ACP and EU governments to establish programmes that reduce school drop-out rates, youth illiteracy and improve the quality of basic education.

Members also call for universal ICT access for young people and urge governments to provide grants and concessional loans to students from developing countries who would like to enrol in tertiary education.

The need to create more favourable conditions for young entrepreneurs, facilitating access to micro-credit for young people, is also highlighted in the resolution.

In the cultural field, the Assembly calls on the international community and EU and ACP governments to focus on preserving traditional handicrafts by allocating more funds to vocational training, manufacturing possibilities and to support sales and marketing of these products and to improve market access opportunities for cultural goods and services, especially those produced by young people, and to improve the mobility of cultural goods and services.

6. ACP-EU Co-Presidents call for reasonable access to anti-retroviral drugs

Declaration: 01.12.2009

On World Aids Day, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly, Louis Michel (Belgium) and Wilkie Rasmussen (Cook Islands), called for HIV/AIDS infected people to be given access to reasonably priced anti-retroviral drugs. There are currently 33 million people worldwide living with the virus.

"The ACP countries believe there is still much that can be done by the big international pharmaceutical companies in developed countries to facilitate the provision of less expensive generic versions of anti-retroviral drugs to HIV/AIDS infected people in developing countries", said Mr Rasmussen.

The feminization of the pandemic, and the increasing number of widows, orphans and child-headed households in ACP States, adds a new dimension to this problem, along with accompanying serious social, legal, ethical and economic challenges, he mentioned.

According to Louis Michel, "we must not lose hope". Since 2001, the number of new infections in Sub-Saharan Africa has dropped by almost 15% and those infected have a greater life expectancy, he remarked. According to the Co-President of the ACP-EU, this demonstrates the efficiency of prevention campaigns and retroviral treatments, which have helped to save 3 million lives since 1996.

HIV/AIDS is making it more difficult for countries to achieve their development goals. Therefore, "we must not relent in our prevention efforts" to assure treatment within a reasonable timeframe and at a reasonable price, said the Co-President.

The members of the European Parliament and their ACP counterparts respected a minute of silence in memory of the victims of this pandemic.

7. Declaration on Niger

The ACP-EU Joint Parliamentary Assembly held a debate on the current political situation in Niger.

The action of President Mahmmadou Tandja of Niger suspended the institutions guaranteeing the rule of law and violated the Constitution of Niger when he held an illegal constitutional referendum on 4 August 2009, allowing the President to stay in power for three more years. President Tandja organised unconstitutional parliamentary elections on 20 October 2009, which were widely boycotted by the opposition.

This constituted also a clear violation of the essential elements of the Cotonou Agreement, as provided for in Article 8 of the Agreement, to which the Government of Niger is a signatory. We therefore call on Niger to respect its commitments under the ACP-EU Partnership Agreement.

We fully endorse the international condemnation of Niger, particularly its suspension from ECOWAS and the EU's freeze of budget support.

We call on the President and the authorities of Niger to return to constitutional order as soon as possible and to uphold democracy and the rule of law and respect for basic human rights, and to immediately release all political prisoners, including Members of Parliament, human rights defenders and opposition leaders.

We call for an independent international investigation into human rights violations committed in the electoral period. We look forward to a satisfactory outcome to the EU's political consultations with Niger under Article 96 of the Cotonou Agreement. Given the conditions in which the last elections took place, the JPA decided to lower the status of the Niger delegation at this session to observer level.

8. Luanda Declaration

on the Second Revision of the
ACP-EU Partnership Agreement (Cotonou Agreement)

The 18th Session of the ACP-EU Joint Parliamentary Assembly, meeting in Luanda (Angola) from 30 November to 3 December 2009:

I. Preamble

- A. whereas Article 95 of the ACP-EU Partnership Agreement, signed in Cotonou, Benin, on 23 June 2000, provides for the Agreement to be revised every five years; noting that the first revision was concluded in 2005 and negotiations for the second revision are under way and likely to be concluded before the end of 2010,
- B. whereas the current revision of the Cotonou Agreement does not include negotiations for a new European Development Fund (EDF) since the 10th EDF does not expire until 2013; whereas the third revision of the Cotonou Agreement is foreseen for 2015 and will therefore fall two years after the expiry of the 10th EDF,
- C. recalling that the primary objective of the Cotonou Agreement is the reduction and, eventually, the eradication of poverty in a way consistent with the objectives of sustainable development and the gradual integration of the ACP countries into the world economy,
- D. mindful that the date of the third revision of the Cotonou Agreement in 2015 will coincide with the deadline for the attainment of the Millennium Development Goals (MDGs),
- E. recalling that, since the first revision of the Cotonou Agreement, there have been significant changes in the international environment, occasioned by such challenges as soaring food and energy prices, the global financial, economic and social crises, as well as climate change, which have their most serious repercussions in developing countries,
- F. whereas the process of negotiating Economic Partnership Agreements (EPAs), along with the conclusion and implementation of interim or full Agreements, has undermined the cohesion of the ACP Group and the ongoing regional integration process,
- G. whereas any revision of the political dimension of the ACP-EU relationship, enshrined in Part 1, Title II of the Cotonou Agreement, must be carried out in a way that fully respects a partnership of equals,
- H. emphasising that the parliamentary dimension of the ACP-EU relationship must in no way be weakened,
- I. whereas, prior to starting negotiations on a revision of the Cotonou Agreement, there should have been an open and transparent consultation of all stakeholders, including parliaments and non-state actors,

II. Objective of the second revision exercise

- 1. Emphasises that the second revision of the Cotonou Agreement should strengthen the principal objectives of the Agreement, which are the eradication of poverty, promotion of sustainable development, gradual and effective integration of ACP States into the world economy, preservation and strengthening of the 'Lomé acquis', as well as enhancing ACP unity, cohesion and solidarity; warns, in this regard, against introducing into the Agreement elements that would be more appropriately addressed in other international cooperation agreements;
- 2. Calls on the negotiating parties to be flexible with regard to the deadline for concluding the revision exercise, given the institutional changes taking place in the

Commission and the ACP Secretariat in 2010, along with the entry into force of the Lisbon Treaty and the possible conclusion of negotiations for EPAs;

3. Stresses that the attainment of the MDGs should stay as one of the core goals of ACP-EU development cooperation; emphasises that the Cotonou Agreement should foresee more investment in public services and infrastructure;
4. Considers that the revision of the Cotonou Agreement should include a commitment to a preliminary perspective for financing ACP-EU cooperation post 2013, independently of the conclusion of EPA negotiations;

III. Regional differentiation and integration

5. Insists that attempts to favour regional differentiation within the ACP Group must not weaken the cohesion and solidarity of the Group and this differentiation must not be applied to aspects of ACP-EU relations that can appropriately be addressed on an all-ACP-EU basis; expresses particular concern, in this context, that regional differentiation should not affect the functioning of the joint ACP-EU institutions under the Cotonou Agreement or impede the strengthening of the relationship between the EU and the whole ACP Group;
6. Acknowledges the increasingly important role played by regional and continental organisations, particularly the African Union (AU), in the economic, social and institutional environment for the development of ACP States; expresses its firm view, however, that any resources devoted to supporting the AU or other regional organisations should not be taken from national envelopes under the EDF or from long-standing horizontal initiatives; emphasises, to this end, that ACP-EU development cooperation and the EU's separate regional strategies must continue to support and strengthen the on-going regional integration processes within the ACP Group;

IV. Economic and trade cooperation

7. Notes that the trade and economic cooperation chapter should be modified to take account of the expiry of the Cotonou trade regime; insists, however, that new provisions for trade regimes to govern ACP-EU trade should, while in line with WTO requirements, take account of the interests and concerns of all ACP States in the light of their different levels of economic development and structural constraints, irrespective of whether or not they have concluded or renounced EPAs;
8. Calls for the establishment of a broad-based review to ensure that EPAs meet their objectives; believes that a formal and comprehensive review of the EPA project is necessary and should be conducted at an all-ACP-EU level at a specified time in the future;
9. Calls for the strengthening of the relevant provisions, to ensure that the European Commission holds full consultation with the ACP Group before entering into any commitments liable to adversely affect the economic integration of ACP regions or ACP-EU trade relations;
10. Stresses that the revision of the Cotonou Agreement should not put undue pressure on ACP States to conclude EPA negotiations;

V. Political dimension

11. Recognises that situations of insecurity or state fragility present particular challenges in relation to development and the attainment of the MDGs and to this end calls for ACP-EU development cooperation to support initiatives to control the spread of small arms and light weapons in ACP States and Regions;
12. Insists that, in relation to migration, the existing provisions of the Cotonou Agreement relevant to readmission agreements should not be changed during the current revision process;
13. Recognises that the consultation procedures in Articles 96 and 97 of the Cotonou Agreement should be exceptional and only invoked in cases where all other forms of dialogue, such as those under Article 8, have been exhausted; believes, however, that when such exceptional circumstances arise it is important that the consultation procedures may be instigated by either party to the Agreement;

VI. Institutional aspects

14. Stresses the importance of the parliamentary dimension of the Cotonou Agreement as embodied in the ACP-EU Joint Parliamentary Assembly (JPA); expresses its firm commitment to ensuring that the JPA and national parliaments play their full part in actions and processes under the Cotonou Agreement and further emphasises its implacable opposition to any attempt to reduce the role of the JPA in particular by proposals that impact on its working methods and the frequency of its meetings, which should be left to the JPA to determine for itself;
15. Calls for the Cotonou Agreement to provide for Country and Regional Strategy Papers to be forwarded to the JPA, as is currently required under the EU Council Regulation on the implementation of the 10th EDF¹; believes, to this end, that in future, the JPA and national and regional parliaments should be consulted in the process of drafting these Strategy Papers;
16. Insists that provision be made in the Cotonou Agreement to allow the JPA to scrutinise the implementation of the country and regional strategies;
17. Believes firmly in the key role that ACP national parliaments may play in all aspects of the ACP-EU relationship; calls for national parliaments to be accorded oversight responsibilities in the implementation of the Cotonou Agreement, particularly the programming, implementation, monitoring and evaluation of development cooperation actions and programmes; insists on effective measures for the monitoring of budget support, particularly by national parliaments and supreme audit institutions; calls for capacity building in ACP parliaments in order for them to undertake both the above-mentioned tasks effectively;
18. Recognises the vital contribution of non-state actors in improving transparency and democratic legitimacy and in enhancing the ability of citizens to hold governments to account and therefore highlights the need for greater involvement of non-state actors from the EU and ACP States;

¹ Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the 10th European Development Fund under the ACP-EC Partnership Agreement, OJ L 152, 13.6.2007, pp. 1-13.

VII. Development cooperation

19. Calls for increased attention to be paid in the Cotonou Agreement to the urgent need for greater efforts towards attaining the MDGs, especially considering the magnitude of the challenge and the proximity of the 2015 deadline; insists strongly, therefore, that funding linked to MDG sectors should not be diverted to support horizontal initiatives in areas less directly related to the MDGs;
20. Draws attention to the importance of the principles of aid effectiveness set out in the Paris Declaration and the Accra Agenda for Action and the principles of donor coordination set out in the EU Code of Conduct on Division of Labour in Development Policy¹; considers these essential to making the best use of development cooperation funds and therefore calls for these principles to be fully taken into account in the revision of the Cotonou Agreement;
21. Calls for more coherence between the EDF and the new European Investment Bank (EIB) development mandate;
22. Welcomes the EU's commitment, enshrined in the Lisbon Treaty, to 'take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries'²; expresses concern, however, at the European Commission Communication on Policy Coherence for Development³ (PCD), which introduces a different approach to PCD; insists, in this regard, that the EU approach to PCD needs to take fully into account the development priorities of ACP States.

http://www.europarl.europa.eu/intcoop/acp/60_18/default_en.htm

Link to website of the ACP/EU Joint Parliamentary Assembly

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¹ Communication from the Commission to the Council and the European Parliament, COM/2007/0072 final.

² Treaty on the Functioning of the European Union, Article 208(1).

³ Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – Policy Coherence for Development: establishing the policy framework for a whole-of-the-Union approach, COM (2009)0458 final of 15 September 2009.