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# **ANNUAL REPORT**

on the results of the work of the ACP-EU Joint Assembly in 1997

Committee on Development and Cooperation

Rapporteur: Mr Carlos Robles Piquer

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At the sitting of 14 November 1996 the Conference of Presidents had authorized the Committee on Development and Cooperation to draw up an annual report on the results of the work of the ACP-EU Joint Assembly.

At its meeting of 16 April 1997 the Committee on Cooperation and Development appointed Mr Carlos Robles Piquer rapporteur.

It considered the draft reports at its meeting 20 January 1998.

At the meeting 25 February 1998 it adopted the motion for a resolution unanimously.

The following members took part in the vote: Wurtz, vice-chairman and acting chairman; Robles Piquer, rapporteur; Carlotti, Cunningham, Fernández Martín, Girão Pereira (for Andrews), Günther, Junker, Kinnock, Lööw, Martens, Nordmann, Paasio, Pons Grau, Salafrañca Sánchez-Neyra (for Verwaerde), Sandbæk and Vecchi.

The report was tabled on 27 February 1998.

The deadline for tabling amendments will appear in the draft agenda of the relevant part-session.

**A**  
**MOTION FOR A RESOLUTION**

resolution on the results of the work of the ACP-EU  
Joint Assembly in 1997

The European Parliament,

- having regard to the resolutions adopted by the Joint Assembly at its 24th and 25th sessions in Brussels (March 1997)(<sup>(1)</sup>) and Lomé (October 1997)(<sup>(2)</sup>),
  - having regard to Rule 148 of its Rules of Procedure,
  - having regard to the report of the Committee on Development and Cooperation (A4-0080/98),
- A. whereas the opinion formed by Parliament with regard to the activities and resolutions of the Joint Assembly helps to make the European Union's development policy more consistent, whilst the Joint Assembly has a role to play in the process of considering the basic issues of European cooperation with the ACP countries,
- B. having regard to the General Report adopted by a large majority by the October 1997 Joint Assembly,
- C. having regard to the forthcoming negotiations on the continuation of development cooperation with the ACP States and the discussion on this matter initiated within the European Parliament,
1. Notes the important contribution made by the Joint Assembly to the institutional framework of the Lomé Convention and to the North-South dialogue and calls for the Joint Assembly to be institutionally independent;
  2. Renews its call for the European Development Fund to be budgetized in order that genuine parliamentary monitoring can be applied to the allocation of its appropriations and to their implementation;
  3. Refers to the pressing problems facing development countries and the fact that these countries and the industrialized countries are dependent on each other and the resulting need to show solidarity; confirms its unchanged commitment to the developing countries, particularly in view of the inevitable advance of globalization and the increasing trend towards liberalization;
  4. Notes that projects and action-plans adopted at major UN conferences have generally tended to be inadequately implemented in practice, and therefore calls for both current and projected cooperation under the Lomé Convention to be systematically aligned with the requirements thereof;

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<sup>(1)</sup> and Lomé (October 1997)(<sup>(2)</sup>) OJ C 254, 2.9.1996

<sup>(2)</sup> OJ C ...

5. Intends to take measures to ensure that the principles of consistency and efficiency in development cooperation are fully taken into account when future relations with the ACP countries are renegotiated and that particular attention is paid in future to ensuring that development policy initiatives enjoy autonomy within the framework of the common foreign and security policy;
6. Expresses once again its wish that, in the light of its 1997 meetings and the recent report by Parliament( ), the Joint Assembly should be able to state its views during the negotiations on future EU-ACP links which are referred to in the Green Paper a
7. Emphasizes the uniqueness of the Joint Assembly as a democratically legitimated body in which the representatives of the ACP states and those of the European Parliament participate on equal terms; stresses the weight which this lends to their statements of intent and draws attention to the current regulatory provision (Article 15(4));
8. In view of the differences of opinion between the ACP and the EU sides as regards certain particularly controversial motions for resolutions (differences which were expressed by means of the voting held at the 25th session), calls on the members of the Joint Assembly Bureau to study possible alternatives to the current voting system referred to in paragraph 5 and to consider in particular the establishment of a single electoral college, the members of which would vote together, either openly or secretly according to the topic under consideration, but to avoid creating differences between the representatives of the ACP countries and those of the European Parliament;
9. Notes in this connection the resolutions to reduce economic instability and to achieve a peaceful settlement of conflicts, and subscribes to the analysis of the reasons for poverty and the eruption of conflicts made therein, and to proposals to contain and combat these phenomena;
10. Shares the view set out in the resolution on climate change with reference to the causes of this phenomenon which threatens the whole of mankind, and views the requirements laid down in that resolution as a basis for joint action;
11. Calls on the Bureau of the Joint Assembly to ask the Commission to respond always in writing to the General Rapporteur's report as adopted, and to place that written response on the agenda of a subsequent Joint Assembly, so as to improve the quality of the assessment made of such reports;
12. Subscribes, in view of the alarming conditions in certain cities in the ACP countries, to the conclusions of the Joint Assembly regarding a comprehensive, consistent and sustainable urban development policy and calls on the Commission to devote particular attention to this urgent problem;

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 ), the Joint Assembly should be able to state its views during the negotiations on future EU-ACP links which are referred to in the Green Paper and which are due to begin in September of this year;  
 ) A4-027/97, OJ C 325, 27.10.1997, pp. 11 and 28

13. Draws attention to the need for all development-policy measures to include provision for environmental protection and restoration, in particular prevention of air and water pollution and safe waste disposal, together with the promotion of environmentally acceptable renewable energy sources;
14. Considers it essential to devise appropriate means of anticipating the impact of climate change and the spread of desertification and drought, and in particular the threat of environmental catastrophe faced by small island states, developments that will also require changes in lifestyle and an end to resource-squandering in the North;
15. Reaffirms that the strengthening of women's rights and their appropriate participation in all political decision-making processes is a fundamental requirement for successful progress with development policy, a process that must in particular include literacy programmes, access to elementary education and basic health care services, especially those concentrated on maintaining or restoring reproductive health, together with participation in paid employment in the informal and formal sectors;
16. Is alarmed at the numerous conflicts and civil wars taking place on the continent of Africa and welcomes in this connection the resolutions adopted by the Joint Assembly on solving the ongoing political conflicts and problems in certain countries in the Great Lakes region, Sudan, Congo-Brazzaville, Sierra Leone, Angola and Somalia;
17. Regrets the fact that the clear position adopted by the Joint Assembly at the Brussels session concerning the massive human rights violations perpetrated by the Nigerian Government was not fully sustained by the ACP side at the Lomé session; similarly, also deplors the fact that most ACP representatives did not see fit to vote for the resolutions on Togo and the Democratic Republic of Congo;
18. Considers that the ACP partners must be made to understand much more clearly that the European Parliament views democracy and the rule of law as an essential precondition for peaceful coexistence and steady progress in the economic field; refers to the position set out in its report on a framework procedure for the implementation of Article 366a of the Lomé Convention( ) and stresses that public support for the continuation of development cooperation is conditional upon the existence of a consensus among partners
19. Welcomes the signing of an international convention to ban anti-personnel mines, as called for by the Joint Assembly at its 24th session, and calls for budget resources allocated to military expenditure in the ACP countries to be restricted to 1% of those countries' GDP;
20. Trusts that the progress apparently made by James Baker in his role as mediator in Western Sahara will make it possible for a referendum on self-determination to be held under satisfactory conditions which are in accordance with the principles laid down by the UN;

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( ) and stresses that public support for the continuation of development cooperation is conditional upon the existence of a consensus among partners regarding minimum requirements;  
 ) A4-0175/97, OJ C 200, 30.6.1997, pp. 245 and 256.

21. Stresses that the choice of venue for the Joint Assembly makes a statement regarding the regime concerned and calls on the ACP Assembly to take full account of the principles of democracy and constitutional law when deciding on the choice of venue;
22. Suggests to the Commission that it should speed up its current project aimed at establishing a department to administer, in a coordinated fashion, the aid provided to third countries, amongst which the ACP countries form the largest group;
23. Instructs its President to forward this resolution to the Joint Assembly, the ACP-EU Council of Ministers, the governments of the Member States of the Community, the governments and parliaments of the ACP States, the Council and the Commission.

## **B** **EXPLANATORY STATEMENT**

The purpose of the annual report on the activities of the Joint Assembly (JA) is to inform the Members of the European Parliament regarding the implementation of the Lomé Convention and recent developments in the ACP countries associated with the EU in order to ensure consistency in the foreign policy activities of the two bodies, both in general terms and from the point of view of development policy.

### **I. The activities of the Joint Assembly in 1997**

- The two plenary sessions took place in Brussels and Lomé in March and October respectively.
- At the opening sessions the President of the European Parliament, Mr Gil-Robles, and the Belgian Foreign Minister, Mr Derycke, spoke in Brussels and, in Lomé, His Excellency General Gnassingbe Eyadema, the President of Togo. In Brussels the Assembly also heard statements by Mr Pinheiro, a member of the Commission, and Mr Jan Pronk, the President-in-Office of the Council of the European Union, whilst in Lomé it heard Mr Georges Wohlfahrt, President-in-Office of the Council of the European Union, and Mr Pinheiro.
- Mr Serageldin, the Vice-President of the World Bank responsible for the environment and sustainable development, attended the Brussels session. His address was the subject of an interesting and critical debate on the work of the World Bank.
- Delegation visits took place to Togo, to examine progress in democratization and respect for human rights, and to Burkina Faso by two members of the working party on regional cooperation. The follow-up group on fisheries held a meeting in Nouakchott after the Lomé session, at the invitation of the Mauritanian authorities. From Lomé, members of the European side then undertook official visits to Ghana and Côte d'Ivoire.
- Members of this working group and those on regional cooperation and climatic change and small island states reported orally on the progress of their work. The working party on urban development in the ACP countries concluded its activities with the tabling of, and a vote on, a report at the March session.
- A new working party was set up to consider future relations between the ACP states and the EU.

### **II. Topics dealt with by the Joint Assembly in 1997**

- Much of the discussions at the two sessions in Brussels and Lomé focused on the general report on the impact of the UN World Conferences from 1990 to 1996 and cooperation between the European Union and the ACP countries against the backdrop of the Lomé Convention.

Over the last few years the JA has devoted considerable attention to specialized UN conferences, both in the form of preparatory work and in critical assessment of the action programmes adopted at these conferences. These contain specific obligations for the



signatory states which include both the Member States of the EU and the majority of ACP states. The general report pointed to the overall consequences which these action programmes will have for ACP-EU development cooperation. The resolution set priorities for the implementation of the development programmes in the various sectors and contains clear demands for the players concerned. It is worth mentioning in this context that the Commission was given this task of immediately drawing up a 'warts and all' report on the implementation of UN decisions together with a programme with a realistic time framework for future cooperation based on the conference results. They demand that the future agreement with ACP states should contain precisely defined quantitative and qualitative targets in the field of social development, food security and the environment and trade, to be attained within a certain period of time. The report won the support of a broad majority in the vote in Lomé. Only a number of individual points, such as for example the right to life of children who have been conceived but not yet born, revealed a conflict of views based on the usual ideological differences.

- Although the subject, raised in the Commission Green Paper, of the future relations between the ACP and the EU did not appear at the top of the agenda of the two sessions, a large number of speakers nevertheless addressed the issue. The guidelines for negotiating new cooperation agreements with the ACP states which were submitted at the conclusion of the Lomé session marked the beginning of a more concrete approach to the subject of how future relations should be formulated. The working party that has recently been set up will be charged with drawing up a proposal for a position to be adopted by the JA. One of the main concerns of speakers was to ensure that a new convention should reflect the changed political and economic facts of globalization and liberalization and contribute to even closer cooperation in the spirit of genuine partnership. The European delegation repeatedly stressed its commitment to this goal. At the same time the basic preconditions for successful development cooperation were highlighted: democracy, the rule of law, respect for human rights and good governance. Speakers also focused on the growing poverty in those ACP countries which account for a majority of the poorest countries on earth (41 out of 50), where many people live in almost hopeless conditions.
- At the Lomé session the ACP side called for the European Union to back unreservedly the proposals put forward by the World Bank with a view to alleviating their debt burden. An opinion backing a proposal from the Commission in this vein was delivered by the European Parliament in January 1997. This is another example of how cooperation with the ACP countries can bear practical fruit in the JA, as regards increasing provision of information and awareness of important topics.
- The Brussels and Lomé sessions adopted 35 and 19 resolutions respectively, many of which give added substance to the necessary doctrine of international cooperation to promote peace and development.

For example, the report on urban development in the ACP states underscores the extremely rapid growth rate of African cities and the problems this causes for the environment, infrastructures and the provision of basic human needs (health, food and education). The report notes that the Lomé Convention makes no provision for an urban development policy and calls for the drawing up of a comprehensive, coherent and viable policy in this area. The problems of maintaining such major conurbations while respecting human dignity and preserving social peace within them can easily be imagined.

Of special significance are the resolutions, drawn up by the relevant working groups, on climate change, the Kyoto Conference of December 1997 and ACP-EU cooperation in the fisheries sector after the year 2000. However, it should be pointed out that there are certain discrepancies between those resolutions and others which Parliament has adopted on the subject of fisheries.

Climate change will have unforeseeable consequences for many regions of the world, in particular the small island states; these consequences can only be mitigated if the industrial states assume their responsibilities in good time, particularly as regards consumer behaviour, and help the developing countries to address their problems, notably in the field of energy supplies. In its resolution the JA supports the European Parliament in its demand for a united front in implementing the guidelines adopted at the Kyoto Conference.

The resolution on the fisheries sector highlights the common interest of the ACP and EU states in a responsible and sustainable fisheries policy and the general economic and social consequences for the countries concerned. It calls for special account to be taken of development policy objectives, for example job creation and the protection of local, small-scale fisheries.

In both Brussels and Lomé the JA examined the situation of individual regions and countries, above all in Africa, such as the Great Lakes region, Angola, Somalia, Sudan, Nigeria, Niger, Congo-Brazzaville, Papua New Guinea and Sierra Leone, which are plagued by political and economic crises and conflicts or are ruled very undemocratically, urging them, by means of its resolutions, to resolve their conflicts peacefully and showing them ways of achieving this objective and of marshalling international aid. Two resolutions should be mentioned in this context: they concern the prevention of conflicts triggered by economic crises, human rights violations and ethnic causes and call for greater attention to nip major conflicts in the bud in order to save human lives at the stage when conditions can still be controlled. On the basis of the experience of the International Court for Rwanda the JA has called for a general international court to be set up by the UN as soon as possible and to be endowed with the necessary resources.

In accordance with standard practice, further resolutions examine the problems facing individual export products of ACP States such as sugar, rum and bananas. The main problems arise from monocultures which are excessively dependent on certain export markets. This is why the resolution adopted in Lomé on measures to reduce economic instability will be considerably more important. In the meantime it is alarming how much damage subsidized exports of European beef to South Africa have been causing to the local economy for some time. This is one of the negative examples which point to the lack of a coherent EU foreign policy. A resolution adopted in Lomé calls for European agricultural ministers to abolish the relevant subsidies.

### **III. Human rights**

The two vice-presidents responsible for examining the human rights situation considered motions for resolutions concerning Chad, Togo and Jamaica in the year under review. In the case of Chad, an EP delegation had already expressed its criticisms regarding the elections it observed in January and February 1997, following which a delegation headed by the Prime Minister of Chad had made a solemn guarantee that the Government would take measures to prevent such violations in future. In connection with Jamaica, it was found that there was no immediate prospect of the death sentence being reintroduced. Questions relating to Togo are still being examined. The Bureau also instructed the two co-rapporteurs to examine allegations that five journalists had been imprisoned in Nigeria.

In this connection, reference should be made to the European Parliament resolution of 13 June 1997 on the procedure for establishing and punishing human rights violations or violations of basic democratic principles. The Lomé Convention review of 4 November 1995 resulted in the incorporation of Article 366a and a more precise wording of Article 5. In order to provide democratic legitimacy for decisions on whether to maintain or suspend development cooperation, the European Parliament demanded that decisions of this kind should in future be subject to the assent procedure. The subsequent procedure is currently being considered by the Council. A resolution adopted in Lomé stresses that respecting fundamental rights and democratic principles is of fundamental importance to economic progress as well and proposes that a special chapter on political principles should be drawn up in future conventions.

Whilst, in Brussels, resolutions were adopted by representatives in a secret ballot which sharply condemned the regimes in Nigeria and Sudan, the Autumn session in Lomé failed, by the same procedure, to condemn the Nigerian regime for its human rights violations because this resolution narrowly failed to command a majority of votes on the ACP side. This is especially regrettable since the planned EP delegation visit to Nigeria was unable to go ahead owing to the refusal by the Nigerian Government to allow the delegation access to detained opposition leaders. Nor were resolutions moderately critical of Togo and the Democratic Republic of Congo adopted by representatives in a secret ballot since there was no majority on the ACP side. The Sudanese Government was, however, condemned owing to its destabilizing role in the region.

The negative outcome of those three votes is particularly disappointing in view of the fact that, despite the majority involvement of democratically elected members on the ACP side, an ACP bloc emerged vis-à-vis the Europeans as a response to the moderate and justified criticisms that had been made. And this took place despite the fact that the revised Lomé Convention contains very clear demands for democracy and good governance as preconditions for successful development cooperation. These voting results call for thorough consideration and cannot be taken lightly. The ACP side must be made aware that its European partners are firmly convinced of the need to implement basic democratic principles, for which reason they are counting on the support of all ACP representatives. These principles cannot be allowed to fall victim to momentary political opportunism. The credibility of the European MEPs vis-à-vis their European (taxpaying) citizens in defending the interests of ACP states is also at stake.

#### **IV. Working place**

The discussion on the venue for the Spring 1997 session which was due to take place in an ACP country according to practice so far, began during the Luxembourg session of 23-27 September 1996. At the time a number of European Members objected to Lomé - the venue proposed by the ACP side - owing to the human rights situation in the country, doubts about the fairness of the 1994 elections and also owing to the partial suspension of the development cooperation offered to Togo by the Commission. The ACP side had argued at that time that the ACP-EC Council of Ministers and the Joint Assembly had in the past accepted Lomé as a venue even when it was ruled by a one-party system. Now that multi-party elections had been held, these objections to Togo were hard to understand. Only a few ACP representatives voiced reservations about the choice of Lomé as a venue. Furthermore, the ACP representatives attached symbolic importance to Lomé, as the place where the four conventions had been signed. At the Bureau meeting of November 1996 it was decided that the second 1997 session would be held in Togo

on condition that progress was achieved in institutional matters and legal measures to protect human rights.

At the invitation of the Togolese authorities a joint six-member delegation of the Joint Assembly visited Togo from 23 to 27 May in order to consider progress on democratization in the country and on the human rights situation. There they met the President, representatives of government and opposition parties, government members, representatives of the Constitutional Court, the Human Rights Commission, trade and industry and trade unions, the French Ambassador, the German chargé d'affaires and journalists. The delegation report (AP/2169) proposed that further improvements should be introduced, in particular as regards the personal security of members of the opposition parties, freedom of assembly, the establishment of an independent electoral commission, the establishment of an independent complaints procedure and equal access for all political tendencies to the media, and said that it expected these measures to be taken in the lead-up to the next presidential and parliamentary elections in 1998.

At the Bureau meeting of June 1997 the co-chairmen recommended, on the basis of the delegation's report on the improved situation regarding the institutions and human rights, and the imminent full resumption of development cooperation, that the 25th session of the Joint Assembly should be held in Togo.

To a large extent the debates in Lomé focused, as expected, on the democratization and human rights situation in Togo. Meetings between the members of some European Parliament groups and Togolese opposition parties received some coverage in certain local media, although not those with the largest audiences, which are controlled by the government. The government spokesman was obliged to appear on prime time television to reject accusations of persecution of opposition parties.

However controversial the choice of venue, and however difficult it had been to accept the invitation of the Togolese authorities, it should be stressed that there has rarely been so much interest in the media and the population at large in the political situation of a session venue. To accept a session venue at which the participants witnessed excellent organization but also the government's ability to marshal groups which displayed enthusiasm and a high degree of loyalty to the President of the Republic at the inaugural celebrations can only make sense if the Lomé Assembly serves to ensure that the people and their governing minorities become aware of the need for progressive democratization. It is therefore important to examine closely the preparation and implementation of the elections scheduled for 1998 and the government that emerges from those elections. When the time comes the Joint Assembly should take an interest in monitoring these elections, as co-chairman Lord Plumb proposed. In this connection, Parliament adopted on 20 November 1997 a resolution on technical and financial support for the elections scheduled to take place in 1998.

In Lomé it was decided that the 26th Joint Assembly would be held in March 1998 in Mauritius.

Since then, elections have been announced, which means that a new date will have to be found.

## **V. Working methods**

Under the last Presidency of the European Parliament, only two of 17 applications for missions were approved. Under the current President it has been agreed that the Joint Assembly should submit proposals at the beginning of each year to the Conference of Presidents for approval. On the basis of the 'indicative' list adopted by this body, the President would only have to be notified

if a specific mission was being planned. This procedure gives the Joint Assembly greater room for manoeuvre and also leaves sufficient leeway for visits to mark special occasions. At the Bureau meeting of March 1997 it was decided that the new rules would be applied for the first time at the meeting in October 1997.

In accordance with Rule 4 of the Rules of Procedure it was decided that four ACP and four EU NGOs would be granted observer status, in addition to the national chambers of industry and commerce of the ACP States. They would have the right to speak only when specifically called upon by the co-chairman and subject to the approval of the Joint Assembly. The granting of observer status is particularly important for ACP NGOs, since this could encourage the establishment of regional and subregional NGOs. The question of funding is, however, still not resolved.

The proposal that the number of motions for resolutions tabled in plenary sitting should be reduced is based on the provisions of the Rules of Procedure first applied in Lomé: the Bureau selects a maximum of seven topics at the suggestion of the coordinators and the right to table motions for resolutions has been limited on the European side (ten Members or a group). There is also a tendency for Members tabling motions to want to see their views included in compromise resolutions to ensure that the consensus reached in negotiations is also obtained in the final vote. This procedure eases the burden of work in plenary and will certainly allow the Joint Assembly to focus on the basic aspects of cooperation. It is regrettable that the number of motions for resolutions tabled on the ACP side is still very small.

In Brussels, 38 questions were submitted to the Council and 51 to the Commission. In both cases the written reply procedure had to be resorted to owing to a shortage of time. Only two questions were submitted by ACP representatives: they concerned the banana sector. In addition, seven oral questions were addressed to the ACP Council. One of these tried to protect the interests of the ACP States in the face of the increasing liberalization of world trade. Most of the other questions concerned the future of the Lomé Convention.

In Lomé, 22 questions were addressed to the Council and 30 to the Commission. Here too the restrictions imposed by the new rules of procedure led to a smaller number of questions being asked. On the European side, questions could only be asked by a minimum of five Members or one group. This encourages lively debate instead of vague answers offered by the Council, which is often merely going through the motions and neither sheds light on the problem in question nor reveals its true position.

The Brussels session was attended by 59 ACP delegations, while 66 European Members were present, even though in many cases only for a short time owing to other work obligations. In Lomé only 46 ACP delegations were represented. However, 89% of those who attended were Members of Parliament, the highest proportion yet achieved. This points to progress in the democratization process in Africa which, despite a number of setbacks and electoral manipulations, is nonetheless real. The principle of free and fair elections is at any rate widely recognised. On the European side only 51 Members attended, of whom fewer than 40 took part in the final voting. These figures are much lower than the theoretical maximum of 70, which means that firm action should be taken to prevent this from recurring at any future meetings.

Both sessions were attended by a South African delegation with observer status. On 24 April the ACP-EU Council of Ministers formally accepted the protocol on the accession of South Africa to the amended Fourth Lomé Convention. The accession of South Africa is a boost for the ACP side, and not only in terms of numbers: it will add substance to the ACP group on account of the

status of its new member and will therefore lead to an even stronger and wider network of relations with the European Union.