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## **REPORT**

on the work of the ACP-EU Joint Parliamentary Assembly in 2002  
(2002/2018(INI))

Committee on Development and Cooperation

Rapporteur: Joaquim Miranda



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## PROCEDURAL PAGE

At the sitting of 17 January 2002 the President of Parliament announced that the Committee on Development and Cooperation had been authorised to draw up an own-initiative report, pursuant to Rule 163 of the Rules of Procedure, on the work of the ACP-EU Joint Parliamentary Assembly in 2002.

The Committee on Development and Cooperation appointed Joaquim Miranda rapporteur at its meeting of 23 January 2002.

It considered the draft report at its meetings of 20 January, 20 February and 23 April 2003.

At the latter meeting it adopted the motion for a resolution unanimously.

The following were present for the vote: Marieke Sanders-ten Holteacting chairman; Margrietus J. van den Berg and Anders Wijkman, vice-chairmen; Joaquim Miranda, rapporteur; Yasmine Boudjenah, Marie-Arlette Carlotti, John Alexander Corrie, Fernando Fernández Martín, Concepció Ferrer (for Luigi Cesaro), Michael Gahler (for Karsten Knolle), Vitaliano Gemelli, Elisabeth Jeggle (for John Bowis), Karin Junker, Bashir Khanbhai (for Nirj Deva), Glenys Kinnock, Wolfgang Kreissl-Dörfler, Caroline Lucas (for Didier Rod), Nelly Maes (for Paul A.A.J.G. Lannoye), Miguel Angel Martínez Martínez, Hans Modrow, Ulla Margrethe Sandbæk, Francisca Sauquillo Pérez del Arco, Michel-Ange Scarbonchi (for Luisa Morgantini), Agnes Schierhuber (for Jean-Pierre Bebear), Maj Britt Theorin and Sabine Zissener (for Jürgen Zimmerling).

The report was tabled on 24 April 2003.

## MOTION FOR A RESOLUTION

### European Parliament resolution on the work of the ACP-EU Joint Parliamentary Assembly in 2002 (2002/2018(INI))

*The European Parliament,*

- having regard to the Partnership Agreement between the African, Caribbean and Pacific States on the one part, and the European Community and its Member States, on the other part, signed in Cotonou on 23 June 2000 (Cotonou Agreement)<sup>1</sup>,
  - having regard to the Cotonou Agreement which came into force on 1 April 2003,
  - having regard to the resolutions and declaration adopted by the Joint Parliamentary Assembly at its 4th session in Cape Town, South Africa (18-21 March 2002)<sup>2</sup>,
  - having regard to the Council Common Position (2002/145/CFSP) of 18 February 2002 concerning restrictive measures against Zimbabwe<sup>3</sup>, to the Council Common Position (2002/600/CFSP) of 22 July 2002 amending Common Position 2002/145/CFSP,<sup>4</sup> to the Council Decision (2002/754/CFSP) of 13 September 2002 implementing Common Position 2002/145/CFSP<sup>5</sup>, the Council Common Position (2003/115/CFSP) of 18 February 2003 amending and extending Common Position 2002/145/CFSP concerning restrictive measures against Zimbabwe<sup>6</sup> and the Council Decision of 18 February 2003 extending the period of application of the measures in Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement<sup>7</sup>,
  - having regard to the its resolutions on Zimbabwe of 14 March 2002<sup>8</sup>, 16 May 2002<sup>9</sup>, 4 July 2002<sup>10</sup>, 5 September 2002<sup>11</sup> and 13 February 2003<sup>12</sup>,
  - having regard to Rule 163 of its Rules of Procedure,
  - having regard to the report of the Committee on Development and Cooperation (A5-0124/2003),
- A. whereas 18 resolutions and the Cape Town Declaration on Trade were approved at the 4th session in Cape Town,
- B. whereas the subject of the European Development Fund was included in the plenary agenda at the 4th session,

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<sup>1</sup> OJ L 317, 15.12.2000.

<sup>2</sup> OJ C 231, 27.9.2002.

<sup>3</sup> OJ L 50, 21.2.2002, p. 1.

<sup>4</sup> OJ L 195, 24.7.2002, p. 1.

<sup>5</sup> OJ L 247, 14.9.2002, p. 56.

<sup>6</sup> OJ L 46, 20.2.2003, p. 30.

<sup>7</sup> OJ L 46, 20.2.2003, p. 25.

<sup>8</sup> OJ C 47E, 27.2.2003, p. 425.

<sup>9</sup> P5\_TA(2002) 256.

<sup>10</sup> P5\_TA(2002) 376.

<sup>11</sup> P5\_TA(2002) 412.

<sup>12</sup> P5\_TA-PROV(2003) 66.

- C. whereas new budgetary arrangements were agreed to facilitate a full participation of parliamentarians from ACP countries,
- D. whereas the agenda of the JPA Bureau meeting in Rarotonga, Cook Islands, included substantive discussions relating to the Pacific Region,
- E. whereas eight JPA missions took place during 2002,
- F. considering the cancellation of the session of the JPA planned for Brussels in November 2002,
- G. whereas, in the course of its existence, the JPA has developed into a genuine parliamentary assembly, and whereas the JPA thus represents a worldwide model for development cooperation and can make a vital contribution to open dialogue on an equal footing between North and South,
- H. whereas a functioning dialogue within the Assembly is therefore fundamental to the EU's development cooperation policy, since this dialogue offers a forum for the open and completely frank discussion of issues which are central to development cooperation,
- I. whereas these events left relations between EU members and ACP members in a delicate state and every effort must now be made to re-establish goodwill and return to normal political dialogue,
- J. whereas an improvement of the information and dialogue structures between the EU and ACP partners is vital,
- K. whereas the background to this cancellation was the political and economic situation in Zimbabwe and the consequent travel ban imposed by the Council of Ministers on President Mugabe and 78 others who are 'engaged in activities that seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe',
- L. whereas two banned deputy Ministers were included in Zimbabwe's delegation to the Brussels session of the JPA in November 2002,
- M. whereas the Belgian Government, after consulting the other Member States, issued entry visas to the two Zimbabwean deputy ministers, on the basis of the exceptions provided for as part of the 'smart sanctions' against the Harare regime, adopted by the Council of Ministers,
- N. having regard to the Conference of Presidents' decision to deny the two deputy Ministers access to the premises of the European Parliament on the basis of the Resolution adopted by the European Parliament which called for no exceptions to be granted to those banned from travelling to the EU,
- O. whereas the joint nature of the JPA is a fundamental characteristic which must be respected by both sides of the Assembly,
- P. whereas Zimbabwe's problems must be addressed as a whole, and whereas, as in every country, the United Nations rules stipulating that human rights are indivisible and cover social rights, in particular the right to land, in the same way as civil and political rights, apply,

- Q. whereas all sides are invoking readily understandable legal arguments to justify their actions, but whereas this insistence that they are legally in the right offers no way out of the crisis,
- R. whereas the vote on the Zimbabwe resolution at the 4th session of the JPA led to a procedural disagreement which will be addressed in the working group on rules,
- S. whereas the events of November 2002 must not overshadow the achievements of the 4th session of the JPA in Cape Town in March 2002,
1. Expresses concern at the unfortunate sequence of events that led to the cancellation of the Brussels session of the JPA planned for November 2002;
  2. Reiterates its deepest concern at the steadily deteriorating political situation in Zimbabwe and the domestic and external repercussions of this situation at various levels and expresses solidarity with the people of Zimbabwe – 7.2 million of whom are on the brink of starvation – and supporters of the political opposition, including MPs, who are facing increased repression;
  3. Takes the view that it would be much more effective and legitimate if sanctions were to be imposed against a country or a regime only after a joint decision has been taken by the representatives of the EU and the ACP countries;
  4. Takes the view that the decision by the Zimbabwe authorities to include two banned deputy ministers in the country's delegation to the Brussels session of the JPA in November did not facilitate the smooth operation of the Assembly even though they were issued Belgian entry and residence visas by the Belgian Government, following consultations with the governments of the other Member States;
  5. Reaffirms the positions expressed in previous resolutions on Zimbabwe and draws attention to the lack of coherence in EU policy with regard to this situation, and calls upon the Council and the governments of the Member States not to seek exemptions from the EU's own sanctions regime;
  6. Underlines the importance of the joint nature of the JPA;
  7. Underlines that the situation leading to the cancellation of the November session arose because its venue was within the territory of the European Union, whereas the EU members cannot exert influence on the running of sessions outside the EU, so that there is an extremely pressing need for a joint solution accepted by all sides with a view to the forthcoming assemblies on the territory of the European Union and in one of the ACP states;
  8. Considers it essential to ensure that the situation which occurred at the November session does not prevent the holding of future important events in Europe and calls in particular for an EU-Africa summit to be held in the near future;
  9. Welcomes the fact that the cancellation of the session of the JPA in Brussels has not altered good working relations, that dialogue has continued and that preparations for the 5th JPA in Congo Brazzaville are in place;
  10. Considers it especially important to highlight the achievements of the JPA in 2002, and points particularly to the success of the 4th session held in Cape Town, South Africa, in

March;

11. Notes with satisfaction the streamlining of procedures and organisation of the JPA – including management of resolutions – has taken place;
12. Welcomes the Cape Town Declaration on new trading arrangements as a valuable contribution to a subject of key importance for both sides; calls on the Commission to take full account of the content of this Declaration in negotiations for the economic partnership agreements;
13. Recognises the importance of the discussion of the European Development Fund in the plenary of the 4th session of the JPA to the future work to be carried out on the subject in the Standing Committee on economic, financial and trade matters and implementation of the European Development Fund and calls for the budgetisation of the EDF;
14. Applauds the inclusion of workshops as part of the JPA's activities and notes that there is a clear preference for workshops which include field visits;
15. Explicitly welcomes that the majority of participants in the JPA sessions in 2002 were Parliamentarians, in line with the provisions of the Cotonou Partnership Agreement, which further emphasises the parliamentary nature of the Assembly;
16. Welcomes, in this regard, the new budgetary arrangements authorising new and equitable travel provisions and daily allowance systems for JPA members from ACP countries which further underlines the joint nature of the JPA;
17. Regrets that the constituent meetings of the three JPA standing committees were delayed following the dispute concerning the implementation of sanctions against Zimbabwe; welcomes the fact, however, that these committees were finally constituted at the 5th session of the JPA in Brazzaville (Congo); takes the view that the work of these joint committees will broaden and enrich discussions in the JPA plenary;
18. Congratulates the JPA Bureau on giving practical effect to the wish to extend its work beyond purely administrative matters and use its meetings also for political discussions by including on the agenda of its meeting in Rarotonga, Cook Islands, substantive issues of concern to the Pacific Region;
19. Underlines the importance of the JPA missions undertaken during 2002 but regrets that there was often unequal participation between EU members and ACP members; notes that there was more equal participation from both sides in the mission to observe the presidential and legislative elections in Kenya in December 2002 and hopes this example will be followed for missions in 2003;
20. Takes the view that the 5th session of the JPA in Brazzaville (Congo) was held in a spirit of goodwill, overcoming the strained relations left over from the crisis of November 2002, and calls on the Members of the JPA to consolidate this return to the normal, constructive and genuinely joint political dialogue of the Assembly, focusing on the urgent development challenges of the ACP regions;
21. Instructs its President to forward this resolution to the ACP-EU Council, the ACP-EU Joint



Parliamentary Assembly, the parliaments of the Member States, the parliaments of the ACP states and the Commission.

## EXPLANATORY STATEMENT

The Annual Report on the work of the ACP-EU Joint Parliamentary Assembly has in the past been a description of the work carried out by the Assembly and, more recently, an analysis of the reform process that has been bringing the body into line with its new configuration and responsibilities under the Cotonou Agreement.

However, the Annual Report for 2002 is of necessity very different, coming as it does at a particularly delicate moment in the history of Assembly.

The crisis which led to the unprecedented cancellation of one of the JPA Plenary sessions, in November 2002, has to be the principal theme of the Report. However, the Report also gives due recognition to the achievements and innovations of the 4th session held in March and gives consideration to the challenges facing the Assembly that are not directly related to the controversy of November.

Before proceeding to an analysis of the delicate situation now facing the JPA, it is helpful to describe the sequence of events that led to the cancellation of the 5th session.

The background to the crisis was events in Zimbabwe where presidential elections were held in March 2002 in an atmosphere of violence surrounding a deepening political and economic crisis. Zimbabwe President Robert Mugabe sought to impose restrictions on the nationalities of election observers, particularly targeting the EU election observation mission whose Chief Observer, Pierre Schori, who was refused accreditation as an observer. The election observation mission withdrew and the Council of Ministers imposed "smart sanctions" against the Harare regime including a ban on travel to the EU for Mr. Mugabe and his closest associates. The ban was extended in July and September to cover a final list of 79 names.

Following the election, events in Zimbabwe deteriorated throughout the year. The famine affecting the whole of Southern Africa was exacerbated in Zimbabwe by the breakdown in the agricultural sector.

The wording of the EU travel ban follows a standard form for such instruments and provides for exemptions, particularly in the following paragraph:

Art 3, para 3: Member States may grant exemptions (...) where travel is justified on the grounds of humanitarian need, including religious obligation, or on the grounds of attending meetings of international bodies or conducting political dialogue that promote democracy, human rights and the rule of law in Zimbabwe.

A procedure is also established for applying these exemptions:

Art 3, para 4: A Member State wishing to grant exemptions referred to in paragraph 3 shall notify the Council in writing. The exemption will be deemed to be granted unless one or more of the Council Members raises an objection in writing within 48 hours of receiving notification of the proposed exemption.

Since the imposition of the travel ban, these exemptions have been used a number of times, even to enable President Mugabe himself to attend the FAO Summit in Rome in June 2002,

When the Deputy Justice Minister, Mr. Paul. Mangwana, and the Deputy Finance Minister, Dr Christopher Kuruneri, were named as members of the Zimbabwe delegation to the JPA, the Belgian authorities followed the required procedure and notified the 14 other Member States, none of which raised objections to the granting of the exemption to the travel ban. Belgium issued visas to allow the two deputy ministers to attend the JPA.

In the light of this situation, and with reference to previous European Parliament resolutions on Zimbabwe, the Conference of Presidents of the European Parliament, at its meeting of 21 November 2002, took the decision to deny the two deputy ministers access to the premises of the European Parliament. This was the venue where the JPA session was scheduled to take place, with meetings planned to start on 23 November.

Meetings of the JPA Bureau and independent meetings of the EU and ACP sides were held between 23 and 26 November during which attempts were made to find a solution acceptable to both sides which would allow the session to go ahead. Various suggestions were made, including: the possibility of finding another venue, in Brussels; that the ACP side might not attend the opening ceremony; or that the resolution on Zimbabwe could be withdrawn from the agenda. However, it proved impossible to find a compromise solution and on 26 November the decision was taken to cancel the session.

The press release issued by the EU Co-President and the declaration of the ACP side on this decision are attached to this report (Annexes 1 and 2).

The crisis inevitably soured relations between the EU and ACP sides, which were already in a fragile state as a result of a difference of opinion, that had emerged previously in the year, during the vote on the resolution on Zimbabwe at the 4th Session in Cape Town. This arose when the EPP group declared a wish to withdraw a request they had tabled for a vote by separate houses. The ACP expressed a wish to take over the request. As the Rules of Procedure did not give specific guidance on the admissibility of such a request, it fell to the Co-President chairing the meeting to make a ruling. Following advice from Mr. Wieland, Chairman of the Working Group on the Rules, Mrs. Kinnock ruled the ACP request inadmissible. The ACP side then almost completely boycotted the vote and made a statement expressing disagreement with the interpretation of the Rules.

In the light of the sensitivities generated by these disagreements and, particularly, by the subsequent crisis leading up to the cancellation of the 5th session, your rapporteur feels strongly that it would be a mistake to seek to gloss over the difficulties or avoid discussing them for fear of generating further tensions. He advises a constructive approach which will contribute towards finding a way out of the crisis, rebuilding goodwill and re-establishing a solid partnership, both in terms of human relations and formal structures, that will prevent such serious problems arising again.

The difficulties raised questions of procedure that must be addressed.

The task of examining voting procedures to establish appropriate and fair provisions on the basis of a minimum degree of consensus for cases when requests for certain types of vote are withdrawn was referred to the JPA Working Group on the implementation of the Partnership Agreement.

To address the problem that led to the much graver crisis of last November in Brussels, your rapporteur suggests considering which are the appropriate bodies to take decisions about running JPA sessions and how such decisions should be taken in controversial cases.

It must not be forgotten that certain elements of the crisis went beyond the internal structures of the JPA and involved unilateral decisions taken in the European Parliament which affected the autonomous activity of the JPA based on an international treaty. Decisions taken within the EU Council of Ministers were also important, and this institution showed a degree of internal contradiction between the spirit in which the travel ban was imposed and extended, and the ease with which individuals named on the list were considered as forming part of the exceptions provided for and were able to obtain visas. Council should be encouraged to re-examine these questions with a view to establishing a more coherent position, mesmo se são conhecidas as diferentes posições dos Estados-membros sobre esta matéria.

One further point that is very important to underline is that the crisis only arose because the meeting was held in Europe, from where two members of the Zimbabwe delegation were banned from travelling. This should be mentioned because some discussions at the time questioned EU members' willingness to sit with representatives of the Harare regime. However, if such considerations became too generalised it would make it impossible to overcome the difficulties at any future sessions of the JPA.

Your rapporteur believes that the way forward is to approach the 5th session of the JPA in Brazzaville (Congo) with a spirit of cooperation, with the intention of making the meeting a success, returning to the normal work of political dialogue and underlining as strongly as possible the joint character of this unique Assembly.

Finally, although the crisis over Zimbabwe must be central to this Report, it cannot be the only focus of attention. It is constructive to give proper consideration to the achievements of the JPA in 2002.

In this regard, it is useful to point to a difference of opinion between the ACP and EU sides for which a compromise solution was successfully found during the course of 2002. This concerned the decision over the venue for the Spring 2003 session of the Assembly, which was to be held in an ACP country. The ACP side proposed the Sudan as the venue, but this proved a controversial choice and it was opposed by a majority of members from the EU side. The difference of opinion was finally resolved by an agreement whereby the Sudan would be considered as the venue for a future session, allowing time for their peace process to progress, and the ACP side made the alternative proposal of Brazzaville (Congo) as the venue for the Spring 2003 session.

Among other successes in 2002 was the approval of 18 resolutions at the 4th Session in Cape Town (listed in Annex 3). These included statements on such important themes as sustainable development and Rio +10, the impact of communicable diseases and the economic partnership agreements. Also on the subject of Trade, of key importance to the ACP-EU relationship, there was an innovative Declaration, now known as the Cape Town Declaration, which stressed that the negotiation process needed to avoid a narrow concentration on purely commercial aspects and give real consideration to the development needs of ACP states.

Another very valuable innovation at Cape Town was the inclusion on the agenda of a discussion on the use of the European Development Fund (EDF), which will tie in with the work to be carried out in the future by Standing Committee 2. This move responded to two needs as it enabled members to comment on the use of an instrument of fundamental importance to the ACP-EU relationship, and, in conjunction with the future committee work, helps to redress a democratic deficit as parliamentary scrutiny over the EDF has in the past been notably lacking.

The 4th session in Cape Town allowed for the consolidation of the workshops as an integral part of the activities of the JPA, with discussions on sustainable development, migration and education. The workshop on education, involving a visit to local schools, was particularly successful and reflected the original objective of the workshops, which was to enable members to gain an insight into life in the host country. The other workshops regrettably suffered from low attendance, particularly from the EU side.

A solution was also found to the long-standing problem of too many resolutions overloading the agenda of the sessions.

The parliamentary character of the Assembly has been underlined and the participation of non-parliamentary delegates has been reduced to a minimum, hence overcoming a point of contention that looked particularly serious in 2001. In this regard, it was particularly useful that it was agreed at the Bureau meeting in Rarotonga, Cook Islands that ACP Members would be covered by new travel provisions and would have their daily allowances revised. This provision facilitated the participation of parliamentarians from distant or isolated ACP states.

A decision was also taken to appoint two Co-Vice-Presidents to take responsibility in future for questions related to the budget of the JPA.

Preparations for holding the constituent meetings of the Standing Committees were completed and nominations for both EU and ACP members of the Committees were received. Furthermore, the Working Group on the Rules made good headway with establishing rules for the functioning of the Committees and these are expected to be finalised and the Committees established at the 5th session in Brazzaville (Congo).

The Meeting of the Bureau in Rarotonga in September provided an opportunity to consider issues of concern to the Pacific Region, including political economic and trade issues, and the role of the Pacific states in the EPA negotiations. It also allowed members of the Bureau to exchange views with members of the Cook Islands Parliament and representatives of the local private sector and civil society. In this sense the wish to use Bureau meetings not only for organisational matters but also as a forum for political discussion was truly implemented.

Following the Rarotonga meeting, the Bureau made a successful visit to Fiji to take part in an informal meeting with parliamentarians from the Pacific.

A total of eight JPA missions were carried out during 2002 but regrettably few of them benefited from full participation by both ACP and EU members. A significant number involved missions for which one Co-President was invited by the other, and for several others only members from the EU side were able to take part. However, the final mission of the year, to observe the presidential and legislative elections in Kenya was a very successful and genuinely joint mission which it is to be hoped will stand as a model for JPA missions in 2003.

In conclusion, there are many achievements to highlighted in this Report and which are intended to generate and help maintain a positive outlook which should prevail in discussions on the more thorny issues. Overall, it is the aim of this report to contribute towards finding the path to a solid, cooperative and harmonious future for the Joint Parliamentary Assembly.

Brussels, 25 November 2002

### **Cancellation of ACP-EU Joint Parliamentary Assembly**

It was with deep regret that Glenys KINNOCK, Co-President of the ACP-EU Joint Parliamentary Assembly announced this afternoon that it was not possible for the 5th session scheduled for 25-28 November 2002 to go ahead following the decision of the Mugabe government to include in the Zimbabwe delegation two ministers who are on the EU travel ban list. This decision had led to a resultant ban on the two delegates, Mr P.M. MANGWANA and Dr C.T. KURUNERI, from the European Parliament's premises by Parliament's Conference of Presidents.

Mrs Kinnock explained that intensive discussions had taken place between both sides over the past few days with a view to reaching a possible compromise based on holding the meeting at an alternative venue and dropping the question of Zimbabwe from the agenda. Unfortunately it was not possible to reach agreement so a decision had been taken to hold meetings during the week comprising the European Members of the Joint Assembly in order to give invited guest speakers the opportunity to address Members.

Mrs Kinnock stressed that the discussions remained "moderate" and "measured".

## DECLARATION BY THE ACP MEMBERS

### FOLLOWING THE CANCELLATION OF THE 5TH SESSION OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY

1 - The ACP members of the ACP-EU Joint Parliamentary Assembly, meeting in Brussels to participate in the 5<sup>th</sup> session of the JPA, note and deplore that the European side has created a situation which has compromised the holding of that session, scheduled for 25 to 28 November 2002, at the European Parliament.

2 - They were informed, at 18:06 on Friday 22<sup>nd</sup> instant, of the European Parliament's decision to bar two members of the Zimbabwe delegation from access to its premises, without prior consultation or an opinion of the joint organs of the Joint Parliamentary Assembly, even though these delegates were in possession of regular entry visas for Belgium.

3 - Furthermore, they have noted that, contrary to the provisions of Article 17 of the Cotonou Agreement, the effect of this decision is to call into question the composition of a delegation designated in all sovereignty by the national parliament of an ACP country.

4 - The ACP members stress that the Cotonou Agreement confers privileges and immunities on members of the JPA and that the very EU "*Council Common position concerning restrictive measures against Zimbabwe*" provides for a derogation for persons "*attending meetings of international bodies or conducting political dialogue that promote democracy, human rights and the rule of law in Zimbabwe.*"

5 - Howbeit, this analysis by the ACP countries is identical in all respects to that made by the Belgian Minister of Foreign Affairs in his letter of 15 November 2002 to the President of the European Parliament regarding the issue, by Belgium, of entry visas to the two members of the Zimbabwe delegation concerned.

6 - The ACP members further point out that the functioning of the JPA cannot be compromised by a decision emanating from a third-party organisation since, in accordance with its own rules of procedure, the JPA has the exclusive prerogative of deciding on participation in its activities.

7 - The ACP members therefore aver that the European Parliament's decision has no legal basis.

8 - The ACP members would thus like to point out that their position cannot be construed in any way as providing political support for an ACP Government, and insist rather that this is exclusively a matter of the respect of the essential principles which preserve the parliamentary, joint, and democratic nature of the JPA, which is a key institution in the implementation of the ACP-EU partnership enshrined in the Cotonou Agreement.

9 - Despite this unacceptable position of the European Parliament, the ACP members, in their desire for compromise, strove for a long time to find a solution by inviting the European members of the JPA, hosts of the 5<sup>th</sup> session, to seek a solution, including the selection of another venue, that would make it possible to hold the Assembly with the participation of all the members.



10- This desire to find a satisfactory compromise came against a categorical refusal by the European side, which expressed no desire to find a solution other than to ask the ACP members to align themselves with the European Parliament's decision.

11- Placed in such a predicament, created by the European Parliament, the ACP members have realized that it is impossible to hold the 5<sup>th</sup> session of the JPA.

12- The ACP members would like to affirm their resolute attachment to an ACP-EU Joint Parliamentary Assembly, governed by common rules and principles, the respect of which constitutes a safeguard of a true ACP-EU partnership, and remain open to engage a frank and unconditional debate on all issues relating to the situation in Zimbabwe.

**Done at Brussels, 25 November 2002**

## ACP-EU JOINT PARLIAMENTARY ASSEMBLY

Resolutions adopted by the ACP-EU Joint Parliamentary Assembly at its 4th session held in Cape Town (South Africa) from 18-21 March 2002:

- on the situation in West Africa (ACP-EU 3383/02/fin)
- on the situation in Central Africa and the African Great Lakes region (ACP-EU 384/02/fin)
- on the situation in Southern Africa (ACP-EU/3385/02/fin)
- on the situation in Madagascar (ACP-EU/3386/02/fin)
- on the situation in Zimbabwe (ACP-EU/3396/02/fin)
- on the situation in East Africa (ACP-EU/3387/02/fin)
- on the Caribbean region (ACP-EU/3388/02/fin)
- on the situation in Cuba (ACP-EU/3389/02/fin)
- on the situation in the Pacific region (ACP-EU/3390/02/fin)
- on the Economic Partnership Agreements (EPAs) (ACP-EU/3397/02/fin)
- on negotiations between the ACP-EU on trade, rules of origin and sanitary and phytosanitary measures (ACP-EU/3391/02/fin)
- on the New Partnership for Africa's Development (NEPAD) (ACP-EU/3395/02/fin)
- on stagnation in the production sectors for bananas, rice and other products (ACP-EU/3379/02/fin)
- on sugar (ACP-EU/3370/02/fin)
- on gender issues (ACP-EU/3392/02/fin)
- on health issues, young people, the elderly and people living with disabilities (ACP-EU/3398/02/fin)
- on the impact of communicable diseases on health, young people, the elderly and people living with disabilities (ACP-EU/3393/02/fin)
- on sustainable development and Rio +10 (ACP-EU/3394/02/fin)

The Joint Parliamentary Assembly has also adopted the Cape Town Declaration on future ACP-EU negotiations of new trading arrangements (ACP-EU/3382/02/fin).