



EUROPEAN PARLIAMENT

2009 - 2014

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*Plenary sitting*

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**A7-0315/2011**

22.9.2011

# REPORT

on the work of the ACP-EU Joint Parliamentary Assembly in 2010  
(2011/2120(INI))

Committee on Development

Rapporteur: Filip Kaczmarek

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

**on the work of the ACP-EU Joint Parliamentary Assembly in 2010  
(2011/2120(INI))**

*The European Parliament,*

- having regard to the partnership agreement between the members of the African, Caribbean and Pacific group of states (ACP), of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 (Cotonou Partnership Agreement)<sup>1</sup> and revised in Luxemburg on 25 June 2005 and in Ouagadougou on 22 June 2010<sup>2</sup>,
- having regard to the Rules of Procedure of the ACP-EU Joint Parliamentary Assembly (JPA), as adopted on 3 April 2003<sup>3</sup> and most recently amended in Port Moresby (Papua New Guinea) on 28 November 2008<sup>4</sup>,
- having regard to Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation<sup>5</sup>,
- having regard to the Declaration for development-friendly Economic Partnership Agreements (EPAs) adopted by the JPA on 22 November 2007 in Kigali (Rwanda)<sup>6</sup>,
- having regard to the Declaration on the Second Revision of the ACP-EU Partnership Agreement (Cotonou Partnership Agreement) adopted by the JPA on 3 December 2009 in Luanda (Angola)<sup>7</sup>,
- having regard to the Communiqué adopted on 29 April 2010 in Mahé (Seychelles) at the JPA East Africa/Indian Ocean regional meeting<sup>8</sup>,
- having regard to the European Consensus on Humanitarian Aid signed on 18 December 2007<sup>9</sup>,
- having regard to the resolutions adopted by the JPA in 2010:

in Tenerife on:

The financial and economic impact of climate change in ACP countries;

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<sup>1</sup> OJ L 317, 15.12.2000, p. 3.

<sup>2</sup> OJ L 287, 4.11.2010, p. 3.

<sup>3</sup> OJ C 231, 26.9.2003, p. 68.

<sup>4</sup> ACP-EU/100.291/08/fin.

<sup>5</sup> OJ L 378, 27.12.2006, p. 41.

<sup>6</sup> OJ C 58, 1.3.2008, p. 44.

<sup>7</sup> OJ C 68, 18.3.2010, p. 43.

<sup>8</sup> APP 100.746.

<sup>9</sup> Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission, entitled: 'The European Consensus on humanitarian aid' (OJ C 25, 30.1.2008, p. 1.).

The social impact of the global crisis;  
Post-disaster reconstruction and rehabilitation in Haiti, and the link between poverty and natural disasters;  
Supporting the consolidation of peace in Southern Sudan; and  
The Declaration on the EU-Latin America bananas agreement and its impact on ACP and EU banana producers and the conclusions on the Regional Strategy Papers for the six ACP regions<sup>1</sup> ;

in Kinshasa on:

Free and independent media;  
Post-Copenhagen: technology transfer, new technologies and technical capacity-building in the ACP countries;  
Achieving the MDGs: innovative responses to meet the social and economic challenges;  
Food security;  
The security problem in the Sahel-Saharan region: terrorism and trafficking in drugs, arms and human beings; and  
The Declaration on the announcement of the results of the second round of the presidential election held on 28 November 2010 in Côte d'Ivoire<sup>2</sup>;

- having regard to the Declaration of 28 September 2010 by the ACP Parliamentary Assembly on the peaceful co-existence of religions and the importance given to the phenomenon of homosexuality in the ACP-EU partnership,
- having regard to the statement of 6 December 2010 made in response to the abovementioned ACP Declaration by EU Members of the ACP-EU JPA from the EPP, S&D, ALDE, Verts/ALE and GUE/NGL Groups of the European Parliament,
- having regard to Rule 48 of its Rules of Procedure,
- having regard to the report of the Committee on Development (A7-0315/2011),

A. whereas the EU Council was not represented at the 20th Session in Kinshasa,

B. whereas the ACP-EU JPA is the largest parliamentary body encompassing countries of both the North and the South,

C. whereas the budget of the ACP Secretariat made it possible for two fact-finding missions, to Madagascar and Haiti, and one election observation mission, to Burundi, to be organised in 2010,

D. whereas the Commissioner with responsibility for development and humanitarian aid gave an undertaking at the JPA session in Wiesbaden (Germany) in June 2007 to subject Country and Regional Strategy Papers for the ACP countries (2008-2013) to democratic scrutiny by parliaments; and welcoming the fact that that undertaking has been fulfilled and that conclusions were adopted on the Regional Strategy Papers at the 19th Session in

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<sup>1</sup> OJ C 193, 16.7.2010.

<sup>2</sup> OJ C 126, 28.4.2011.

Tenerife,

- E. whereas the revision of the Cotonou Partnership Agreement in 2010 provided a valuable opportunity to strengthen the role of the JPA and its regional dimension and develop parliamentary scrutiny in ACP regions and countries,
  - F. whereas the JPA regional meeting held in the Seychelles in 2010 was a considerable success and resulted in the adoption of the abovementioned Mahé Communiqué,
  - G. whereas the situation in Haiti is still very serious 20 months after the earthquake that devastated the island, and welcoming the conclusions of the JPA mission to the country and the resolution adopted in Tenerife,
1. Welcomes the fact that in 2010 the JPA continued to provide a framework for an open, democratic and in-depth dialogue between the European Union and the ACP countries on the Cotonou Partnership Agreement, including the EPAs, and also the Regional Strategy Papers for the six ACP regions;
  2. Stresses the need to pay more attention to the outcomes of the work of the ACP-EU JPA, and to ensure coherence between its resolutions and those of the EP; asks for more participation and involvement of MEPs in its meetings and activities;
  3. Regrets the fact that the EU Council was absent from the 20th Session in Kinshasa, and urges the High Representative to ensure that the establishment of the European External Action Service (EEAS) will lead to a clarification of the role of the EU Council and a clear delineation of responsibility between the EEAS and the Commission in terms of the implementation of the Cotonou Partnership Agreement;
  4. Stresses in particular the crucial role of the ACP national parliaments in managing and monitoring, and local authorities and non-state actors in monitoring, the Country and Regional Strategy Papers and the implementation of the European Development Fund (EDF), and calls on the Commission to guarantee their involvement; emphasises, further, the need for close parliamentary scrutiny during the negotiation and conclusion of EPAs;
  5. Calls on the parliaments of the ACP countries to insist that their governments and the Commission involve them in the process of drafting and implementing the Country and Regional Strategy Papers relating to cooperation between the EU and their countries over the period from 2008 to 2013 and ensure their full participation in the EPA negotiations;
  6. Calls on the JPA to maintain its pressure on EU Member States to take urgent steps to meet their 0.7 % GNI commitments in order to achieve the MDGs, as well as their specific pledges to Africa and LDCs, and recommends fully transparent, multiannual, binding measures, including legislation;
  7. Calls on the Commission to supply all available information to the parliaments of the ACP countries and to assist them in exercising democratic scrutiny, in particular by means of capacity-building;
  8. Calls on the parliaments and governments of the ACP countries to take steps to tackle

climate change that take account of the need to maintain growth, eradicate poverty and guarantee fair access to resources; calls in this respect on the Commission, in conjunction with the ACP governments and the JPA, to verify that the European Water Fund, established to provide the very poor in the ACP countries with a water supply and basic sanitation facilities, is being properly used and proving beneficial;

9. Urges the JPA, the European Commission, and the ACP parliaments and governments to uphold the full right to land and to take measures restricting the phenomenon of land hoarding that could lead to severe environmental damage, the migration of local smallholders and workers, exploitation of resources and the loss of means of subsistence and food security;
10. Draws attention, in this regard, to the need to involve parliaments in the democratic process and in the national development strategies; stresses their vital role in establishing, following up and monitoring development policies;
11. Stresses the necessity of upholding the media's freedom and its independence, these being vital elements in ensuring pluralism and the involvement of democratic opposition groups and minorities in political life;
12. Calls on the European Union and the ACP countries to encourage citizens, and particularly women, to participate on issues such as gender violence or human trafficking, since the involvement of society is vital if progress is to be made in resolving these problems; acknowledges the problem-solving and conflict-resolution skills of women, and urges the Commission and the JPA to include more women in task forces and working groups dealing with issues such as family life, child care, education, etc.;
13. Calls on parliaments to exercise close parliamentary scrutiny of the EDF; highlights the JPA's key position in this debate and calls on it and the parliaments of the ACP countries to take an active part therein, in particular in connection with the ratification of the revised Cotonou Partnership Agreement;
14. Asks the European Commission to update the JPA on the state of play of the ratification of the Cotonou Partnership Agreement, as revised in Ouagadougou on 22 June 2010;
15. Welcomes the increasingly parliamentary – and hence political – nature of the JPA, together with the ever more active role played by its members and the greater quality of its debates, which are helping it to make a vital contribution to the ACP-EU partnership;
16. Deplores strongly the fact that virtually no mention was made during the JPA in Kinshasa of the increase in acts of mass sexual violence and of general impunity, particularly in the east of the Democratic Republic of the Congo;
17. Calls on the Commission and the JPA to promote equitable and sustainable development incorporating the social dimension, which supports new forms of enterprises (e.g. cooperatives);
18. Reasserts that the principle of non-discrimination, including discrimination on the basis of sexual orientation, will not be compromised in the ACP-EU partnership;

19. Asks the European Commission to provide the members of the JPA with information on the Community financing granted to host countries in the form of budgetary support; stressed that some States benefiting from budgetary support have a controversial political system and that Members of the European Parliament should be informed of the Commission's assessment of the eligibility criteria for budgetary support and of the monitoring thereof;
20. Considers the exchanges of views with local authorities on the situation in the country, which took place for the first time in Kinshasa, to be a significant example of this enhanced dialogue;
21. Emphasises once again the significance of the abovementioned Declaration by the JPA on the EU-Latin America bananas agreement, given the major impact this agreement will have henceforth on the competitiveness of ACP and EU banana producers; calls in this regard on the European Parliament and the Council to do all that is in their power to find an agreement which enables compensation for ACP banana producers, provided for in the regulation establishing the banana accompanying measures to be released; asks the JPA Bureau, therefore, and the Committee on Economic Affairs, Finance and Trade to continue to monitor closely developments on this matter;
22. Calls on the JPA to continue to monitor the situation in Haiti, Madagascar and South Sudan, and to send an observation mission to monitor the level and effectiveness of humanitarian aid to the populations struck by famine in the Horn of Africa; draws attention to the need to cooperate closely with the new Haitian authorities and to support them as they structure their institutions, move towards a fully operational democracy and throughout the whole of the reconstruction process;
23. Calls on the JPA to continue to organise its own election observation missions on the same basis as the successful mission to Burundi, inasmuch as they reflect the JPA's dual legitimacy, while ensuring the independence of its electoral missions and close coordination with other regional observation bodies;
24. Welcomes the fact that one further regional meeting provided for in the Cotonou Partnership Agreement and the JPA Rules of Procedure was held in 2010; considers that these meetings make for a genuine exchange of views on regional issues, including conflict prevention and resolution, regional cohesion and EPA negotiations; commends the organisers of the extremely successful meeting in the Seychelles;
25. Welcomes the establishment of the Working Group on Working Methods, and calls on the JPA Bureau to implement its recommendations in order to improve the efficiency and the political impact of the JPA both in the implementation of the Cotonou Partnership Agreement and on the international stage;
26. Stresses the importance of the on-site visits organised during the JPA, which complement the part-session discussion; regrets that the visits arranged in Kinshasa lacked relevance;
27. Instructs its President to forward this resolution to the EU Council, the Commission, the ACP Council, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the JPA Bureau and the governments and

parliaments of Spain and the Democratic Republic of Congo.



## **EXPLANATORY STATEMENT**

### ***Introduction***

The Joint Parliamentary Assembly met twice in 2010. The 19th session was held in Tenerife (Spain) from 6 to 9 April and the 20th session was held in Kinshasa (DRC) from 30 November to 3 December. Nine resolutions and the Declaration on the Second revision of the Cotonou Partnership Agreement were adopted. One regional meeting was also held during the year, in Mahé (Seychelles).

In the course of its proceedings, the assembly welcomed the Member of the Commission with responsibility for development, Mr Andris Piebalgs. The successive Co-Presidents of the ACP-EU Council also attended the first session but only the ACP Council was represented in Kinshasa.

The following also took part in the work of the Assembly:

H.E. Paulino Rivero, President of the Regional Government of the Canary Islands, H.E. Miguel Angel Moratinos, Minister of Foreign Affairs of Spain, H.E. Evariste Boshab, Speaker of the National Assembly of the DRC and H.E. Joseph Kabila Kabongo, President of the DRC.

The 20th Session in Kinshasa was marred by the absence of the EU Council for Question Time and the Assembly agreed to communicate its regret over this matter to the High Representative Baroness Ashton urging her to ensure that this was remedied for future sessions.

After 2009 when no JPA fact-finding missions were organised at all, in 2010 the ACP Secretariat was able once again to fund mission expenses for its staff and three missions were undertaken, to Madagascar, Burundi and Haiti.

### ***Standing committees***

The three standing committees met four times: twice alongside the sessions (in Tenerife and Kinshasa) and twice (in Brussels) between sessions. The committees' main role is to draw up reports which are subsequently adopted at the plenary sessions (a total of six reports per year).

Moreover, the committees are responsible for following up resolutions by hearing the Commission officials with responsibility in the relevant areas. This provides an opportunity – and sufficient time – for in-depth dialogue on the action taken. Previously, such follow-up was carried out in plenary and was a mere formality.

The Committee on Economic Affairs, Finance and Trade was entrusted with an additional responsibility, that of scrutiny of the Regional Strategy Papers (RSPs) for the different ACP regions. These set out the strategy of the European Commission for the regional development of the region concerned. The Committee appointed Co-rapporteurs for each RSP, the conclusions of which were adopted in the 19th Session in Tenerife, in time for them to be incorporated into the mid-term review process.

### ***19th session in Tenerife (Spain)***

The 19th session of the Joint Parliamentary Assembly was held from 6 to 9 April 2010 in Tenerife (Spain – the country holding the EU Council Presidency).

In addition to the reports by the standing committees, the session adopted resolutions on the post-disaster reconstruction in Haiti, and the situation in Southern Sudan. It also adopted six sets of conclusions on the Regional Strategy Papers for the six ACP regions. The workshops on renewable energy and water supply, sustainable tourism and migration in the region all attracted a large number of participants and great interest.

### ***20th session in Kinshasa (DRC)***

The 20th session of the Joint Parliamentary Assembly was held from 30 November to 3 December 2010 in Kinshasa (DRC).

The Assembly adopted the three resolutions contained in the reports by the standing committees and two urgent resolutions on food security and the situation in the Sahel-Saharan region. A Declaration on the results of the presidential election in Cote d'Ivoire was also adopted.

The workshops on the challenges of reconstruction of post-conflict states and the illegal exploitation of natural and mineral resources in the DRC provided good opportunities to discuss important regional issues in depth.

### ***Fact-finding and study missions***

The Assembly organised two fact-finding missions in 2010, to Madagascar and Haiti.

### ***Other activities***

The JPA also conducted an election observation mission to Burundi, and showed its autonomy from the EU mission by adopting a separate press statement jointly with the African Union and the CEEAC-ECA. Among its recommendations it was stated that the principle of independence and closer coordination with other regional bodies should continue to apply for future JPA election observation missions.

### ***Future developments***

Through the quality of its work, the JPA has succeeded in establishing itself as a key player in North-South cooperation.

The European Commission now subjects Country and Regional Strategy Papers to parliamentary scrutiny by both the European Parliament and the ACP countries' national parliaments. It is important for the Committee on Development and the JPA to monitor the situation and ensure that effective use is made of this means of parliamentary scrutiny.

The Assembly has played, and continues to play, a key role in monitoring the negotiations on Economic Partnership Agreements (EPAs). Hearings of the head negotiators on both sides, meetings with economic and social players (both at formal meetings and at events held alongside them) and interaction between European and southern parliamentarians have helped to make the process more transparent and have made it easier to take local issues into account.

Whatever the outcome of the negotiations, there can be no doubt that the Assembly's work has had a bearing on the process.

In 2010 the Commission and the ACP countries negotiated proposals for the second revision of the Cotonou Partnership Agreement. The revision provides for an enhanced role for the JPA in scrutiny of other institutions as well as for the regionalisation of the ACP group being brought about by the EPA process. It is important for the JPA to monitor developments extremely closely in order to ensure that it can survive and move forward as an institution towards the expiry of the Cotonou Agreement in 2020.

The establishment of the African Union and the growing power of the PAP are without a doubt a challenge to ACP-EU cooperation and, consequently, to the ACP-EU Joint Parliamentary Assembly. Cooperation between the European Parliament and the PAP began in 2007, and in 2009 the European Parliament created a fully-fledged Delegation for relations with the PAP, and it is important for these relations to be taken into account in the JPA's work.

The entry into force of the Lisbon Treaty and the establishment of the European External Action Service will have an impact on the relations between the JPA and the other institutions and it is to be hoped that the absence of the EU Council at the 20th Session will be rectified in 2011, and that the EEAS will be able to work as constructively with the JPA as the European Commission has done so in the past.

Lastly, in 2010 the Working Group on the Working Methods of the JPA, established in order to enhance the political role of the JPA as well as to provide for improvements in efficiency, began its work. It is to be hoped that its proposals for changes to the Rules of Procedure will achieve the objectives set.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	22.9.2011
<b>Result of final vote</b>	+ : 21 - : 0 0 : 0
<b>Members present for the final vote</b>	Thijs Berman, Michael Cashman, Corina Crețu, Véronique De Keyser, Charles Goerens, Catherine Grèze, András Gyürk, Filip Kaczmarek, Michał Tomasz Kamiński, Franziska Keller, Maurice Ponga, Birgit Schnieber-Jastram, Michèle Striffler, Alf Svensson, Eleni Theoharous
<b>Substitute(s) present for the final vote</b>	Santiago Fisas Aixela, Martin Kastler, Cristian Dan Preda, Judith Sargentini
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	María Irigoyen Pérez, Wolfgang Kreissl-Dörfler