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A7-0309/2012

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RECOMMENDATION

on the draft Council decision on the conclusion, on behalf of the European Union, of the Food Assistance Convention
(12267/2012 – C7-0210/2012– 2012/0183(NLE))

Committee on Development

Rapporteur: Nirj Deva

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the draft Council decision on the conclusion, on behalf of the European Union, of the Food Assistance Convention
(12267/2012 – C7-0210/2012 – 2012/0183(NLE))**

(Consent)

The European Parliament,

- having regard to the draft Council decision (12267/2012),
 - having regard to the Food Assistance Convention (attached to the draft Council decision),
 - having regard to the request for consent submitted by the Council in accordance with Article 214(4) and Article 218(6), second subparagraph, point (a) of the Treaty on the Functioning of the European Union (C7-0210/2012),
 - having regard to Rules 81 and 90(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Development (A7-0309/2012),
1. Consents to conclusion of the Convention;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States.

EXPLANATORY STATEMENT

The European Parliament is requested to give its consent on the proposal for a Council Decision on the conclusion, on behalf of the European Union, of the Food Assistance Convention (FAC 2012).

There are no amendments possible on the content of the Convention as such. The consent concerns only the decision of the Council on the conclusion of the Convention and the deposit of the instrument of ratification provided for in Article 12 of the Convention at the Secretary-General of the United Nations.

Comments:

Today, hunger and food insecurity remain global challenges. While substantial progress has been made on a number of fronts in the past decade, progress on hunger and malnutrition have remained stubbornly slow. In 2010 an estimated 925 million people or 13.6 % of the world population did not have enough to eat, despite decreases in income poverty in several regions. 98 % of the world's undernourished live in developing countries.¹ 60 % of them are women.² Malnutrition is an underlying cause of more than a third of children's deaths, an estimated 2.6 million a year. Nearly one in five children under age five in the developing world is underweight. Long-term undernutrition has left millions of children suffering from stunting (low height for age), putting them at risk for diminished cognitive and physical development.³ The number of people worldwide affected by disasters, including as a consequence of global climate change, is on the rise.

The FAC 2012 is fully in line with the EU's ongoing efforts to contribute to reducing poverty and eradicating hunger globally in the framework of the Millennium Development Goals. The continuous need for an international, legally binding framework that defines and provides the commitments and instruments for the delivery of food assistance to developing countries is obvious.

Your rapporteur believes that the modifications made in comparison with the Food Aid Convention (FAC 1999) constitute major steps forward and the conclusion of the FAC 2012 is to be welcomed. Therefore, your rapporteur proposes that Parliament give its consent.

The objectives of the FAC 2012 and the principles of food assistance

The European Parliament fully subscribes to the objectives of the FAC 2012 and to the principles of food assistance as described in Articles 1 and 2 of the Convention. It believes that the FAC 2012 is instrumental in allowing the EU to pursue at international level the advancement of its humanitarian aid policy objectives as laid down in Article 214(1) of the Treaty on the Functioning of the European Union and in line with the EU's Humanitarian

1 FAO News Release, September 2010. <http://www.fao.org/docrep/012/al390e/al390e00.pdf>

2 Strengthening efforts to eradicate hunger, ECOSOC, 2007.

<http://documents.wfp.org/stellent/groups/public/documents/communications/wfp224568.pdf>

3The Millennium Development Goals Report 2012.

<http://unstats.un.org/unsd/mdg/Resources/Static/Products/Progress2012/English2012.pdf>

Food Assistance policy. The European Parliament is of the opinion that the FAC 2012 will allow the EU to ensure that the most effective and efficient food assistance policy is put in place that responds to the food and nutrition needs of the most vulnerable populations, based on objectively identified needs, sensitive to local contexts, in full respect of the fundamental principles of humanitarian action and in compliance with WTO obligations.

The European Parliament attaches the utmost importance to full compliance by all Parties to the FAC 2012 with the Principles and Good Practice of Humanitarian Donorship endorsed in Stockholm on 17 June 2003. It recalls the commitments of aid donors and recipients to improve development aid effectiveness by applying the principles of the Organisation for Economic Cooperation and Development's (OECD) Paris Declaration on Aid Effectiveness adopted in 2005.

Main points of difference between the FAC 2012 and the FAC 1999

According to the Commission's explanatory memorandum and discussions with Commission officials, the FAC 2012 differs from the FAC 1999 mainly in the following ways:

- The European Parliament acknowledges the crucial role the EU has played in encouraging the move from a donor-oriented (disposal of excess food supplies) to a beneficiary-oriented instrument in support of humanitarian policy. This entails **moving from a product-based approach to a more varied, needs-based and locally adapted mix of tools**. Importantly, the list of Eligible Activities for the fulfillment of a Party's minimum annual commitment under the FAC 2012 has been broadened (Article 4 and RoP¹) to include, besides in-kind products, also cash transfers, vouchers and nutritional interventions, in particular therapeutic and supplementary feeding, enrichment and fortification, and micronutrients.
- The FAC 2012 acknowledges the importance of preparing the ground for longer term solutions early on with activities that **facilitate the transition from relief to rehabilitation and recovery programs**, inter alia by strengthening local production and livelihoods, thus avoiding long-term aid dependency. To this purpose, the list of Eligible Products has been extended to include a limited number of products that contribute not only to meeting food needs and but also to protecting livelihoods in emergency and early recovery situations, such as the provision of seeds, basic agricultural and fishing tools, and livestock for milk and consumption purposes.
- The FAC 2012 puts a strengthened emphasis on discussion, exchange of information and sharing of best practices among the Parties to the Convention, with adequate monitoring and evaluation tools. This should allow the Committee to become a **more active forum for donor coordination and mutual learning** around food assistance policy and practice.

¹ Version of 25 April 2012 of the draft Rules of Procedure and Implementation. The Rules of Procedure and Implementation of the Food Assistance Convention 2012 are to be approved at the first meeting of the new Food Assistance Committee.

- The FAC 2012 aims at **increasing transparency and openness** towards other stakeholders, who can be invited to participate in the Food Assistance Committee's formal or informal meetings and with whom the Parties shall consult regularly. A publicly accessible website is to be set up with the explicit objective of facilitating information-sharing with stakeholders. The publication of the Parties' minimum annual commitments, the Committee's annual report and the dates, locations and summary records of the Committee's sessions will facilitate greater external accountability and allow stakeholders to track donor performance. The Committee's annual report will include a summary of all Parties' annual reports. However, the individual annual reports of each Party are not public.
- The agreement is concluded for an **unlimited duration**, with entry into force on 1 January 2013 provided that five parties have ratified the Convention by 30 November 2012. The FAC 1999, which expired on 30 June 2012, was initially concluded for three years and thereafter extended five times. A Party may propose an assessment of the relevance of the Convention or propose amendments to it any time after the entry into force of the Convention.

There remain **certain points which, in the rapporteur's view, should be reassessed and improved**, either in the course of implementation or in view of a future revision of the Convention:

- Regrettably, the FAC 2012 still allows the Parties to express their minimum annual commitment of food assistance in terms of value, quantity or a combination of both. Although the EU is an advocate of value commitments, it is to be expected that a number of important donors will continue to express their commitments mainly in quantity (grain equivalence). This provides incentives for these donors to delay delivery when food prices rise and, although the correlation between food prices and the humanitarian situation is not automatic, may transfer food price risk to those affected by emergencies. The objective must remain to move to a system in which **all Parties' commitments are fully expressed in value** and indexed to global food prices.
- Unchanged from the FAC 1999, the FAC 2012 still allows Parties to give up to 20% of their food aid in the form of sales or credit. The EU must continue to **advocate vigorously for a modernised food assistance approach based on fully grant form** rather than sales or credit. The medium-term aim must be to bring the share of food assistance given in the form of grants up to 100 %.
- The European Parliament recognises the commitment of the Parties to ensure that their assistance avoids harmful interference with normal patterns of production and trade. The EP insists that the **repercussions of food assistance on local food production and markets must be carefully monitored** and duly taken into account in the decision-making on the most effective and efficient means of assistance as well as during implementation.
- The European Parliament encourages the EU to push the Committee further

towards **better coordination with longer-term efforts to improve agricultural productivity and rural livelihoods**. Within the EU, synergies must be sought with the broader range of EU development instruments, in particular the Food Security thematic programme of the Development Cooperation Instrument (DCI), to foster long-term solutions to food and nutrition security. Externally, the Committee could strengthen its ties with other food security actors, such as the Committee on World Food Security and the Global Food Security Cluster.

- The European Parliament regards it as highly positive that a limited number of prospective new members were already involved in the negotiation stage of the FAC 2012. The EP encourages the EU to seek actively to **broaden the FAC's membership base** as far as possible, while not compromising on its objectives and fundamental principles. Further, the EP invites the Parties to develop a mechanism to allow for the **active involvement of representatives of countries affected by emergencies**, as a means to increase the FAC's legitimacy.
- It is regrettable from the point of view of visibility for the EU as a humanitarian actor that **no collective EU minimum annual commitment** will be made that includes the contributions of both the EU and Member States. Although it is understood that individual Member States can become Parties to the Convention in their own right and, as such, participate in Committee meetings, the European Parliament appeals to the EU and the Member States to coordinate their positions to the extent possible prior to Committee meetings and speak with one voice in these meetings.

The European Parliament calls on the EU to make an ambitious minimum annual commitment for 2013 in accordance with Article 5 of the Convention and to fulfill its annual commitments duly.

Finally, the European Parliament requests the Commission to keep Parliament fully informed of the implementation of the Convention by the EU and the Member States party to the Convention, inter alia by transmitting their annual reports and debriefing the Development Committee on a regular basis on the implementation of the Convention and Committee proceedings, in particular in case of a future revision of the Convention.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	9.10.2012
Result of final vote	+: 20 -: 0 0: 0
Members present for the final vote	Thijs Berman, Ricardo Cortés Lastra, Leonidas Donskis, Catherine Grèze, Eva Joly, Filip Kaczmarek, Miguel Angel Martínez Martínez, Gay Mitchell, Norbert Neuser, Bill Newton Dunn, Maurice Ponga, Jean Roatta, Michèle Striffler, Alf Svensson, Eleni Theoharous, Patrice Tirolien, Ivo Vajgl, Anna Záborská, Iva Zanicchi
Substitute(s) present for the final vote	Patrizia Toia