

# ACP-EU Joint Parliamentary Assembly

**Africa Caribbean Pacific - European Union**



**Adopted Resolutions 1993-2012**

**VOLUME III**



ARCHIVE AND DOCUMENTATION CENTRE (CARDOC)  
**EUROPEAN PARLIAMENT**

EN





# ACP-UE JOINT PARLIAMENTARY ASSEMBLY

**Africa Caribbean Pacific - European Union**



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**VOLUME III**



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**EUROPEAN PARLIAMENT**

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RESOLUTION<sup>(1)</sup>

## on urban development in the ACP countries

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- having regard to the report on urban development in the ACP countries (ACP-EU 1625/A+B/fin.),
- A. whereas the current urban growth rate in the ACP countries is the highest ever recorded on any continent and is likely to result in African cities absorbing around 575 million new inhabitants over the period 1990-2025, i.e. more than the current total population of Africa, and having regard, in particular, to the links between the urbanization rate and the population growth rate, as illustrated by the West African region, whose urban population is likely to treble by 2020,
- B. whereas urban areas have become the main driving force behind economic growth — including, to a large extent, agricultural growth — in the ACP countries, and whereas in Africa two thirds of wealth is currently generated by urban areas,
- C. whereas many ACP urban areas are experiencing acute problems — which are worsening — in areas as varied as housing, infrastructure, the environment, health and access to education and training; whereas the poorest and most vulnerable sections of the urban population are particularly affected and require priority attention and specific measures,
- D. whereas an urban planning and development policy must consider urban areas as the driving force behind economic growth in the ACP countries; whereas, in this respect, there can be no substitute for economic growth, and effective action against the various aspects of urban poverty — especially as regards the poorest and most vulnerable strata of urban society — must include the introduction of policies and concrete measures at regional, national and local levels to promote economic activity, employment, the production of goods and services and the redistribution of income,
- E. whereas the lack of adequate infrastructure to provide drinking water and drains has direct negative consequences for public health and the lack of infrastructure in the energy sector has harmful effects on the environment as a result of the excessive use of firewood to provide energy, primarily in the home,
- F. whereas, with regard to the environment and public health, many city-dwellers in ACP countries are exposed to various kinds of pollution (water, air, domestic and industrial pollution and especially pollution associated with the absence of satisfactory waste treatment), industrial risks associated with increased industrialization, and industrial accidents; whereas basic infrastructure needs to be developed as an essential prerequisite for an enhanced environment and improved health standards; whereas the adoption and gradual introduction of appropriate legislation to combat pollution, industrial risks and industrial accidents should be promoted,
- G. whereas, with regard to public health, the health problems of the poorest city-dwellers in ACP countries are generally little known and underestimated; whereas priority should be given, in the context of ACP-EU cooperation, to improving knowledge of the health situation of these people and their needs and to devising and implementing appropriate solutions,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

1. Stresses, in particular, that the health situation of children, who constitute a particularly vulnerable section of the population, should form the subject of specific measures and that, more widely, ACP-EU cooperation should draw up specific measures to deal with the growing problem of street children;
2. Calls on the Commission and the ACP States to take account of the important contribution made by women in the urban environment — particularly within the informal production sector and, in the family, as regards health, hygiene and education — and to devise solutions that are geared towards their particular situations and specific needs, especially with regard to housing, employment, training and health;
3. Points out that the statistics show fertility rates to be lower among the urban population than among the rural population and women and men living in towns to be more likely to have access to information on contraception; notes, however, that the urban poor often lack access to high-quality reproductive health services, and calls for due support to be given to the provision of services and information for under-served groups as effective population and reproductive health policies continue to be introduced in the ACP countries;
4. Calls on the Commission to bear in mind that the situation of each ACP country is different and requires a different approach; considers that small island states and states emerging from a period of conflict face particularly difficult circumstances which call for appropriate solutions;
5. Deplores the fact that the Fourth Lomé Convention does not provide for or formulate an urban development policy, that it refers to towns and urban development only in Articles 14 and 155 and that the recent mid-term review of the Convention has not changed the situation; also deplores the fact the Commission's Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century makes no reference to this issue;
6. Stresses that, given current trends and foreseeable economic, social, demographic and political developments, there should be no question of waiting for the renewal of the current Lomé IV Convention before the urgently needed urban planning and development policy is defined;
7. Stresses in the strongest possible terms the vital need to formulate and implement, in the context of ACP-EU cooperation, a global, coherent and sustainable urban planning and development policy in the ACP countries to help put into practice the lessons learnt at international level from international conferences, such as the 1992 Rio conference and, more recently, HABITAT II and the various undertakings made on those occasions;
8. Welcomes the results achieved at the HABITAT II Conference and, in particular, the recognition of the right to housing for all, as stipulated in the Istanbul Declaration, and the fact that local authorities have become full partners in the urban development process and are now recognized as such;
9. Welcomes the ACP-EU efforts, which have already led to significant cooperation in the field of urban policy under successive Lomé Conventions, particularly with respect to urban infrastructure — water, drains, energy and roads — but also with regard to promotion of the private sector, use of counterpart funds resulting from the implementation of structural adjustment plans and decentralized cooperation;
10. Stresses the important role of the European Investment Bank, particularly with regard to urban infrastructure and the promotion of the private sector; calls for measures to ensure the most effective coordination possible between its actions and those administered by the Commission;
11. Regrets the absence of any comprehensive inventory of all projects carried out in the context of ACP-EU cooperation in the field of urban development and the lack of adequate assessment of actions taken; considers that an inventory of projects and an overall assessment of their impact — which should also take account of the experience of other development operators and agencies at international level — would be useful for the formulation and implementation of a global ACP-EU urban development policy; calls on the Commission to undertake this type of work without delay;



12. Calls on the Commission and the ACP States to support scientific research — in Europe and the ACP countries — designed to enable all problems associated with urbanization processes to be better analysed and understood, so that practical lessons may be learnt for the policies to be formulated in this sphere;
13. Considers it essential, therefore, that the necessary human resources be allocated to urban development within the Commission;
14. Calls for appropriate measures of a fiscal, administrative and legislative nature for the promotion of small and medium-sized enterprises and industries; calls for ACP-EU cooperation to take additional measures to promote SME-SMIs in medium-sized towns, and to encourage the informal sector in the same way;
15. Stresses that most ACP countries are faced with major imbalances in the geographical distribution of their population and economic activities and that the problem is worsening owing to demographic pressure; calls on the ACP States, therefore, to establish, with the Commission's assistance, interventionist regional planning policies, to be devised and implemented at regional and sub-regional levels, and aimed, in particular, at developing a balanced network of medium-sized towns;
16. Calls on the ACP States and the Commission to take account of the highly complementary relationship between the development of towns and that of rural regions, in particular neighbouring regions, given that urban growth both relies on agricultural and rural development and contributes to it through the constant exchanges between town and country and every effort should be made to encourage rural dwellers to stay in their own environment by providing assistance to create employment and better living conditions through structural planning and capacity building;
17. Calls on the ACP States to work with the Commission's assistance towards new arrangements for power-sharing between national and regional/local bodies, to bring about some decentralization and greater autonomy for local authorities; these are necessary for the implementation of effective regional planning policies and for a functioning legal and financial system;
18. Calls on the ACP States to take the necessary measures, with the Commission's assistance, to ensure that as powers are increasingly transferred to local level, local and municipal business is effectively conducted by democratically elected local authorities;
19. Stresses the considerable interaction between the various problems and sectors in the field of urban development — infrastructure, environment, public health — and calls on the Commission and the ACP States, therefore, to establish crossectoral analyses and action plans capable of identifying such interaction and to take coordinated action in all sectors with a view to ensuring rational progress is made across the board;
20. Calls for the factors limiting access to land and housing, to be assessed and modified; calls, in particular, for easier arrangements for granting credit to all people, and especially women;
21. Notes the development and diversification of irregular patterns of land occupation and housing construction and calls for greater importance to be attached to projects to legalize urban development and operations to remodel illegal developments;
22. Considers that NGOs, district organizations and women's and young people's representatives must be more closely involved in all areas of urban development and the implementation of projects, to ensure that measures are better adapted to actual needs;
23. Calls on the ACP States, with the Commission's assistance, to take the necessary measures to ensure the participation of those concerned in drawing up and implementing projects so that such projects are geared towards the real needs of the people and the financial participation of consumers of goods and services and users of the various infrastructures is facilitated;

24. Calls on the Commission and the ACP States to adopt a more regional and subregional approach and increase cooperation at these levels in the planning and creation of infrastructure and to ensure the effective management and maintenance of infrastructure in order to guarantee the sustainable nature of investment;
25. Stresses that, given the considerable funding which will be needed for urban investment and the development of towns in the coming decades and especially for the creation of basic infrastructure, a significant reallocation of financial and budgetary resources to this sector and a redistribution of financial resources between central government and local authorities seem necessary in many ACP countries; calls on the ACP States to take all appropriate measures as soon as possible with the Commission's assistance;
26. Calls on the ACP States to ensure, with the Commission's assistance, that the present legal systems permit the required greater involvement of the private sector and foreign investment and admit joint ventures;
27. Calls on the ACP States to create, with the Commission's assistance, effective new credit mechanisms and institutions for local authorities and, in particular, to enable these authorities, to gain access to appropriate international funding;
28. Considers that, in the context of ACP-EU cooperation, decentralized cooperation is a particularly appropriate instrument and approach for meeting urban development and, more generally, regional development requirements; draws attention in this context to new Articles 251a to 251e in the revised text of the Convention, emphasizing that decentralized cooperation operations may be financed with the financial resources allocated both to the National Indicative Programmes and to the Regional Indicative Programmes;
29. Stresses that, in view of the growing complexity of the problems to be solved, municipalities must be provided with teams of competent managers and technicians; calls for ACP-EU cooperation to make a significant contribution in this field;
30. Calls for the increased conclusion of cooperation agreements between local and municipal authorities of ACP countries and EU Member States, to promote the indispensable exchange of information, experience and technical and administrative personnel;
31. Calls for ACP-EU cooperation to promote the development of a more effective private sector, particularly with regard to the building of housing, the provision of urban amenities for waste management and the production and use of local materials, which are likely to be both better suited to needs and more affordable for users; stresses that the promotion of these sectors may help to revitalize the economy by revitalizing domestic demand;
32. Calls on the Commission and the ACP States to arrange regional meetings with the EU Member States and to itemize the procedures for implementing the HABITAT II agenda;
33. Instructs its Co-Presidents to forward this resolution and the accompanying report to the ACP-EU Council, the Commission, the governments of the ACP States and the Member States of the European Community.



RESOLUTION<sup>(1)</sup>

## on ACP fisheries and the eighth EDF

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 17 to 20 March 1997,
  - having regard to the resolution on fisheries in the context of ACP-EEC cooperation, adopted in Brussels (Belgium) on 7 October 1993<sup>(2)</sup>,
  - having regard to the deliberations of the follow-up group on fisheries in the context of the Lomé Convention,
  - having regard to the fisheries agreements between the European Community and 14 different ACP countries,
- A. having regard to the fact that fisheries agreements between the EC and ACP countries, while basically commercial in nature must be coherent with cooperation policy,
  - B. having regard to the need to develop the fisheries sector in the ACP countries,
  - C. having regard to the possibilities provided by the EDF for assisting the ACP fisheries sector, notably artisanal fishing,
  - D. having regard to the indicative programmes already signed and those being signed for the 8th EDF,
1. Notes that given the limited funds available under the EDF, its funds have not been primarily used to assist in the development of the fisheries sector in ACP countries;
  2. Recognises that ACP countries must make difficult choices regarding the use to be made of EDF funds, and that, in many cases, the requirements of other sectors are seen as more pressing than those of the fishing sector;
  3. Encourages, nevertheless, ACP Governments to take account of the development potential of the fishing sector and related services, as a potential source of high-protein food, employment and economic and social development when deciding on the use to be made of resources allocated under the 8th EDF;
  4. Calls for particular attention to be given to increasing the ACP countries' administrative capacities in the fields of resource management, scientific research, biological rest periods and maritime surveillance;
  5. Calls for particular attention to be paid to the artisanal fishing sector, which is highly vulnerable in the face of organized commercial fishing by international operators, including EC boats using the facilities provided under fishing agreements;
  6. Calls on the EU to mobilize additional financial support to permit development measures to be undertaken independent of the Regional Funds or of current schemes for financial compensation in respect of the catches allowed under fishing agreements;
  7. Calls upon the EU to implement the consultative mechanisms provided for in the fishing agreements as often consultations take place only upon the renewal of the Agreements;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

<sup>(2)</sup> OJ C 14, 17. 1. 1994, p. 22.

8. Hails the adoption of the Code of Conduct on Responsible Fishing by the FAO in October 1995 and calls on the contracting parties to uphold the spirit and letter of this code;
9. Commits private ACP/EU operators to undertake specific development measures in the form of joint undertakings, Joint Ventures, technology transfer and other forms of partnership, particularly those linked to the acquisition of production equipment such as ships, including idle fishing vessels (either on lease or on the basis of joint ventures), processing factories and related industries and services;
10. Calls upon ACP States to improve on their individual and collective negotiating capabilities when negotiating new fishing agreements with the European Commission and to place the interests of their nations at the forefront;
11. Calls upon the EU to recognise that the alternative patterns of exploitation of fishing resources of ACP states now being developed make a more direct contribution to the wider social and economic development of ACP countries in a manner more wholly consistent with the EU development policy objectives;
12. Calls upon ACP countries to quickly switch to alternative patterns of exploitation of its fisheries, as fostered under fishing agreements, which are principally designed to satisfy the needs of the EU fishing fleet and needs of the EU market, which is not necessarily consonant with the principles of promoting sustainable social and economic development of ACP States and integrating ACP economies into the world economy;
13. Welcomes the provisions in fishing agreements for specific areas to be reserved for artisanal fishermen, calls for the enforcement of these areas, the extension of this practice and for greater protection to be provided to artisanal fishermen in future agreements;
14. Calls on the ACP countries concerned and on the Commission to include in the context of wideranging consultation, representatives of the fisheries sector and in particular artisanal fishermen and women in the negotiations of future fishing agreements with all countries having an artisanal fishing sector;
15. Encourages the establishment of marine parks and protected areas to conserve the aquatic bio diversity and the renewal of the resources on which fisheries depend;
16. Deplores the fact that once again the ACPs' views on the rules of origin with regard to fishery products, expressed throughout the negotiations of Lomé II, III, IV and the revised Lomé IV, have been disregarded;
17. Calls upon the contracting parties to reacknowledge the coastal ACP States' right to the development and rational exploitation of their fishery resources in all waters within their jurisdiction and, consequently, the need to modify the rules of origin;
18. Reiterates the view expressed by the ACP representatives and renews the Assembly's request that all catches made in waters on which ACP States exercise sovereign rights and which are obligatorily landed in ACP ports for processing and export to the EU markets should enjoy originating status while ensuring that such arrangements do not benefit third parties to the detriment of the ACP and EU;
19. Calls upon the European Commission and the Governments of the Member States to relax the implementation mechanisms of the rules of origin with respect to fishery products with immediate effect so as to enable increased quantities of fishery products from ACP States to be sold on the EU market and to absolve ACP States from paying indemnities to EU importers who are in the first place penalized by EU Member States' Customs Unions;

20. Welcomes the revision in Lomé IV bis with regard to the provision of Protocol 1 to increase the annual quantity of canned tuna and tuna loins to 4 000 tonnes and 500 tonnes respectively which ACP States are allowed to export to the EU market under the provision of automatic derogation, but notes that it falls well short of the ACP demand for 10 000 tonnes;

21. Calls on the European Union Member States and the Commission to consider favourably requests from ACP States for flexibility and the extension by a period of two years of the present derogation to enable them to modernise their canneries so as to conform with the new EU Regulation 91/493/EEC on norms and standards for fishery products — bearing in mind that the continuation of the derogation is important in order not to penalise ACP exports, especially of canned fish products, to the EU;

22. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council of Ministers and the Commission.

#### RESOLUTION <sup>(1)</sup>

##### on the situation in the Great Lakes region

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - recalling its previous resolutions on the situation in the different countries of the Great Lakes region,
  - having regard to the declaration of the Dublin European Council and the subsequent statement of the General Affairs Council of 20 January 1997,
  - having regard to the recent mission of Commissioner Bonino to Zaire,
  - having regard to the UN Security Council Declaration of 7 February 1997,
  - having regard to developments in the political and military situation in Zaire and the other countries of the region,
- A. extremely concerned by the escalation of the conflict in Zaire and by the presence of foreign troops and mercenaries in the area,
  - B. fearing for the fate of the hundreds of thousands of refugees and displaced persons still present in Eastern Zaire, who are threatened by the ongoing fighting, malnutrition and disease,
  - C. deploring the deep divisions of the EU Council which, added to the position adopted by the United States, have effectively prevented the deployment of the multinational force that could have prevented the escalation of the conflict and saved the lives of many defenceless civilians,
  - D. having regard to the demographic, geopolitical and strategic importance of Zaire in the African context of the OAU and the ACP Group,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- E. disturbed by the continuing massacres in Burundi and by the lack of any prospect for a negotiated settlement between the warring parties, despite the mediation efforts of ex-President Nyerere and EU Special Envoy, Mr Ajello,
- F. noting the OAU's appeal to countries in the region to make an objective assessment of sanctions against Burundi,
- G. shocked by the recent murders and attacks committed in Western Rwanda against foreign personnel and by the grave threat to the reintegration of refugees and to the reconciliation process,
- H. deploring the fact that the UN International Tribunal for Rwanda, set up in Arusha, seems at present unable to fulfil its mission,
1. Condemns the state of war in Zaire that constitutes a grave threat to the stability of the region and endangers the lives of hundreds of thousands of civilians;
  2. Affirms its attachment to the principles of the inalterability and inviolability of the borders of Zaire and neighbouring countries;
  3. Condemns the presence of foreign troops and mercenaries in Zaire; calls on all foreign governments presently involved in the conflict to withdraw their troops and refrain from any further interference;
  4. Calls on the OAU and the EU Council to overcome any divisions, promote a major initiative to actively support the mediation effort of the United Nations and contribute to establishing a means of access to refugees through which humanitarian aid can transit;
  5. Offers its cooperation to take an active part in such mediation;
  6. Strongly supports the holding of a 'Regional Conference on Peace, Security and Stability' envisaged by the European Commission and the Council of the Union with a programme based on defence of the population's interests, democracy and respect for human rights;
  7. Calls on the Commission, the UNHCR and the World Food Programme to step up humanitarian supplies to the hundreds of thousands of refugees and displaced persons still trapped in Eastern and Central Zaire;
  8. Condemns the continuing massacres of innocent civilians in Burundi and urges the warring parties to stop atrocities;
  9. Invites the Burundi Government and the various political movements in Burundi to commence, without hesitation, a political process of national dialogue with a view to achieving institutional transition by consensus, that can put an end to the violence in the country;
  10. Calls on the international community to continue to supply its humanitarian assistance to Burundi;
  11. Condemns the recent murders and other attacks committed in Western Rwanda against members of international humanitarian organizations and urges the Rwandan Government to conduct thorough investigations in order to bring those responsible for such murders to justice;
  12. Calls on the authorities of Rwanda and Burundi to do their utmost to ensure the security of representatives of the humanitarian agencies;



13. Considers that the activity of the International Tribunal for Rwanda is a key factor to stability in the region and underlines the absolute necessity of bringing to justice those responsible for the 1994 massacres in Rwanda, as a fundamental measure to prevent further conflict;
14. Calls on the EU and ACP States which have not yet done so to adopt the necessary legislation to ensure full cooperation with the International Tribunal for Rwanda;
15. Is convinced that the situation in the countries in the African Great Lakes region will ultimately only be stabilized if the process of democratization is relaunched in those countries, in particular by organizing democratic elections;
16. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the signatory states of the Lomé Convention and the UN and OAU Secretaries-General.

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#### RESOLUTION<sup>(1)</sup>

##### on the International Criminal Tribunal for Rwanda

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. whereas ever since it was set up the International Criminal Tribunal for Rwanda has had serious difficulties, of a financial, administrative and logistical nature, which have prevented it from starting work,
- B. noting that as a result the first trial did not start until 9 January 1997, although the Tribunal was instituted by the UN Security Council Resolution of 8 November 1994,
- C. deploring the very inadequate resources available to the Tribunal to carry out its task, and the inconsistency of some provisions governing its operation,
- D. pointing out, in particular, that the Prosecutor General of the International Criminal Tribunal for Rwanda and the Deputy Prosecutor are based respectively in The Hague and Kigali, while the other agencies of the Tribunal are situated in Arusha,
- E. whereas this decentralization is one of the factors that most seriously undermines the effectiveness of the work of the ad hoc Criminal Tribunal for Rwanda, while the Hague Tribunal has more favourable working conditions,
- F. noting the decision taken at the beginning of March by the UN Secretary General to accept the resignations of the Registrar and the Deputy Prosecutor, suspected of serious management errors,
- G. recalling, however, that the judges are in no way implicated and that numerous procedures have been started,
- H. whereas those problems cannot call into question the principle of an international court to try the perpetrators of genocide, such as the genocide committed in Rwanda in 1994,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- I. recalling that the States' cooperation, in all respects (financial contributions, collection of evidence, arrest of persons implicated in the genocide, etc.), is crucial to the success of the ad hoc Tribunal's mission,
  - J. bearing in mind the progress made in establishing an International Criminal Court and the decision of the United Nations General Assembly to convene a Diplomatic Conference in 1998 to set up that Court,
1. Calls on the United Nations to do everything possible to provide that International Criminal Tribunal, as soon and as fully as possible, with the resources to complete its mission successfully;
  2. Calls on all European Union and ACP States to cooperate fully with the ad hoc Criminal Tribunal for Rwanda, in particular by making a financial contribution to its operation and by adopting the necessary internal legislation;
  3. Reaffirms its support for the principles on which the ad hoc Tribunal is based, which cannot be called into question;
  4. Considers that the difficulties encountered in the operation of the ad hoc Tribunal demonstrate the urgent need to establish a Permanent International Court as soon as possible;
  5. Invites, consequently, the Member States of the Lomé Convention to continue to support, within the UN, a common position on the need to establish the Permanent International Court in 1998 at the latest;
  6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and to the UN Secretary-General.

# RESOLUTION<sup>(1)</sup>

## on the situation in Somalia

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

— having regard to its previous resolutions on the situation in Somalia,

- A. whereas the political, social and economic situation in Somalia is entering a phase of rapid change, to which the international community should be particularly attentive with a view to supporting the positive aspects thereof,
- B. welcoming the relentless efforts exerted by the IGAD member countries in their research for a durable solution for Somalia and in particular the Sodere agreement in Ethiopia of January 1997, which brought together 26 Somali political organizations culminating in the creation of a National Salvation Council, as well as the Consultative meeting of Nairobi of October 1996, which brought together three major Somali factions,
- C. encouraged by the commitment expressed to move the peace process to a higher plane and the resolve to overcome present difficulties in the preparation for the forthcoming conference in Bossaso, Somalia,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- D. whereas the political and security situation differs from one region to another and is still precarious in many urban centres, especially in Mogadishu,
- E. whereas this situation of instability has until now hampered international aid and had dramatic consequences for the civilian population which, in vast areas of the country, is still without adequate food and essential services (water supplies, health services, education, etc.),
- F. whereas on 12 December 1996 the United Nations sent out an urgent appeal for funds to assist Somalia and prevent a further humanitarian crisis,
- G. whereas it is of the utmost importance that subsisting problems be resolved in Somalia, both for the sake of the Somali people and for the stability of the region of the Horn of Africa as a whole,
- H. whereas the clan warfare has made it impossible to restore a proper institutional framework at national level and this has in effect prevented Somalia from ratifying the Fourth Lomé Convention and, hence, from benefitting from the ECU 111 million earmarked under the Seventh European Development Fund,
- I. whereas the ACP-EU Joint Assembly has, on many occasions, asked the Council and the Commission to consider Somalia, despite everything, as a party to the Lomé Convention and to identify all political and legal instruments which will allow the Somali people to benefit from the whole range of aid and cooperation measures contained in the Convention,
- J. whereas on 30 June 1996 the ACP-EU Council confirmed Somalia's political accession to the Lomé Convention, which enabled the Commission to adopt an initial rehabilitation programme (ECU 47 m) in July 1996 and paved the way for further aid programmes,
- K. whereas, wherever political and security conditions have allowed, humanitarian aid and support for economic activities with a view to reorganizing essential services have produced significant results,
- L. having regard to all the efforts made by the European Union over the last few years to help Somalia meet its most urgent needs in terms of reconstruction and economic regeneration,
- M. whereas Somalia is considered an 'ACP country which traditionally exports bananas' to the European Union,
- N. whereas the Commission intends to reduce the status of the European Union's office for Somalia, situated in Nairobi (Kenya),
- O. having regard to the positive role which the SACB (Somalia Aid Coordination Body) has so far played, by helping to create the conditions for international aid and to coordinate the actions of the main donors, national agencies and NGOs working in Somalia,
1. Makes an urgent appeal to all the Somali factions to observe the ceasefire agreement and engage seriously in a national peace process, with a view to initiating the reconstruction of the country;
  2. Urges all Somali political groups who were participating at the Sodere meeting to redouble their efforts in the realization of the Agreement and strongly appeals to other Somali political groups who did not take part in that meeting to do so in the search for a comprehensive settlement to the conflict and in the interest of peace, prosperity and development for Somalia and the region at large;

3. Calls upon the international community, in particular the UN, EU and Inter-governmental organizations, including the Arab League and the Organization for the Islamic Conference to closely coordinate their efforts with the OAU and IGAD in the search for a solution to the conflict in Somalia;
4. Expresses its support for the efforts of the OAU, the IGAD and UN envoys, the EU and the Italian Government, which have made the present ceasefire agreement possible;
5. Insists that the Council of the European Union should develop its own coherent policy on Somalia, making it possible to support political initiatives aimed at the achievement of peace in the country;
6. Appeals to the international community, particularly the EU to make available additional resources with a view to combating poverty, fostering functional cooperation agreements necessary to strengthen peace areas and to encourage the regeneration of other areas and communities; and in this endeavour to give due consideration to the role of women and the inclusion of community based organizations as operational partners in decision-making process for relief and rehabilitation;
7. Reiterates its request to the Commission, the EU Council, the ACP-EU Council and the Committee of Ambassadors immediately to identify instruments to enable Somalia and its people to enjoy the benefits of the Fourth Lomé Convention, as called for on several occasions by the ACP-EU Joint Assembly and the ACP-EU Council;
8. Considers it vital that the special reconstruction programme for Somalia, to which ECU 47 million have been allocated, be rapidly implemented and properly used, especially for the most vulnerable sections of the population, the reconstruction of essential social infrastructure, support for economic regeneration and, in particular, agriculture, stockbreeding and fisheries;
9. Calls on the ACP-EU Council to propose a legal instrument to enable Somalia to gain access to the resources of the NIP of the Seventh and Eight EDF and the Regional Indicative Programmes, despite the absence of national authorities empowered to ratify the Fourth Lomé Convention;
10. Considers that the exceptional nature of the situation in Somalia calls for the adoption of legal, political, economic and administrative instruments of an unusual kind to enable the Commission to use the resources of the EDF not only for recovery programmes, but also for long-term development programmes;
11. Calls on the Commission, and in particular ECHO, to monitor the food supply situation in Somalia in order to prevent a famine situation from arising and to provide, if necessary, for an emergency aid programme, taking due account of the impact on the most vulnerable sections of the population;
12. Reiterates its request to the Commission to guarantee full implementation of the 'banana protocol' and Council Regulations 404/93 (banana COM) and 2320/96 (extension of system of aid to ACP banana producers) for Somalia and Somali banana producers, thereby finally enabling them to use and benefit from all the trade and financial instruments provided for in these provisions;
13. Calls on the Commission and the EU Council to devise appropriate practical measures to provide Somali exports (in particular bananas) with adequate administrative and customs protection, by guaranteeing, among other things, duty-free access for goods and quantities entering the European Union;
14. Considers that the Commission's decision to reduce the status of the office of the European Union Special Envoy to Somalia, located in Nairobi, is extremely serious and urges that this decision be revoked;



15. Considers it necessary to maintain a separate Somalia Unit, with a separate EU Special Envoy, as this is essential for maintaining a strong link between rehabilitation and restoration of peace;
16. Considers that the role of the Special Envoy has been and will continue to be essential for the Union to maintain adequate relations with its Somali counterparts and with NGOs working in Somalia and for continuing to guarantee the operation of the SACB, as a key means of coordination and interaction between UN agencies, donors and NGOs;
17. Expresses further grave concern over the piracy of fish in the territorial waters of Somalia, as well as the continued illegal dumping of nuclear and other hazardous industrial waste in that country, in contravention of international law, and appeals to the international community to take urgent steps to prevent these practices;
18. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations and the OAU.

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## RESOLUTION<sup>(1)</sup>

### on Sudan

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - recalling its previous resolution on human rights violations in Sudan,
- A. noting that there has been a serious escalation in the civil war in Sudan, and deeply concerned that this turn of events is causing humanitarian tragedies in the communities in southern Sudan, the Nuba Mountains, the southern Blue Nile, Northern Bahr el Ghazal and in Eastern Sudan and, more generally, that it is causing mounting regional tension and instability throughout the Horn of Africa,
  - B. concerned that access to the affected communities in the war zones of Nuba Mountains, Upper Nile, Bahr el Ghazal and Blue Nile which are in desperate need of a regular flow of humanitarian relief is often obstructed by the Sudanese authorities,
  - C. deeply concerned that the humanitarian crisis is likely to deepen in the coming months and aware of the UN appeal for US\$ 120 million for emergency humanitarian assistance to meet the needs of the estimated 4,2 million war-affected and displaced in Sudan, many of them struggling to cope with chronic malnutrition and the alarming increase of infectious diseases,
  - D. deeply concerned by indiscriminate aerial attacks against civilian targets by the forces of the NIF regime in Khartoum,
  - E. concerned that escalation of fighting will lead to a further deterioration of the already grave human rights situation in Sudan, and by alarming reports indicating widespread arrests of Government opponents by Sudan's security apparatus under arbitrary and illegal security laws and torture in reopened secret unacknowledged detention facilities commonly known as 'ghosts' houses',

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- F. reiterating its belief that the IGAD peace initiative is currently the only avenue available to achieve a just and peaceful resolution of this conflict, based upon essential principles of the right of self determination and the separation of state and religion, and that this process has been systematically obstructed by the NIF regime in Khartoum,
  - G. aware that the IMF is about to expel Sudan from the Fund as the country is failing to reform its economy and to repay sufficient instalments on its US\$ 1,7 billion arrears,
  - H. aware that the NIF regime in Khartoum is engaged in a frantic exercise to externalize the causes of the civil war between the forces of the Sudanese National Democratic Alliance (NDA) and those of the moribund dictatorship of the NIF regime in an effort to deceive international opinion,
  - I. pointing out that the Islamist regime in power since the 1989 coup has banned political parties, trade unions and political meetings;
  - J. also pointing out that the UN Commission on Human Rights in Geneva has repeatedly condemned the Sudanese regime over the last four years,
  - K. concerned by the report of the Special Rapporteur of the UN Human Rights Commission regarding the situation of human rights in Sudan, especially with regard to refugee camps, disappearances of citizens in armed conflict areas and the ensuing human suffering,
1. Deplores violations of the sovereignty and integrity of countries in the Horn of Africa by the Government of Sudan and the disturbance to security in the Horn of Africa which this causes;
  2. Insists that all warring factions agree to a cease-fire and stop all atrocities before they proceed to the negotiating table as recommended by the international community;
  3. Condemns the obstruction of humanitarian assistance to the people of Nuba Mountains and other areas by the Government of Sudan and requests the United Nations to challenge the Government of Sudan to ensure immediate and free access for humanitarian organizations and Operation Lifeline Sudan;
  4. Condemns the NIF regime's unfounded and vicious accusations against its neighbours for what is purely an internal war between it and the NDA;
  5. Urges the EU and its member states to respond to the appeals of the UN DHA for US\$ 120 million for emergency humanitarian assistance to Sudan;
  6. Urges the immediate release of all political prisoners unless they are to be charged with a criminal offence and brought to a fair trial without delay;
  7. Condemns the forced recruitment of youngsters by parties to the conflict, and the bombing and raiding of civilian objects by the Sudanese Government;
  8. Calls upon the Sudanese Government and the other parties to the conflict to respect international humanitarian law and human rights, to end the practice of forced recruitment, attacks of non-combatants and civilians targets and any other indiscriminate attacks;
  9. Condemns the Sudanese Government in the strongest terms for its failure to comply with the requests of the Central Organ of the OAU Mechanism for Conflict Resolution, and with resolutions 1044, 1054 and 1070 of the UN Security Council urging the Sudanese Government to extradite to Ethiopia the three men allegedly involved in the 26 June 1995 attempt to assassinate Egyptian President Mubarak;

10. Urges the Sudanese Government to cooperate fully with the UN Committee on the Rights of the Child, the UN Working Group on Contemporary Forms of Slavery and the UN Human Rights' special rapporteur on Sudan in their investigations of reported violations of human rights;
  11. Calls upon the EU to assist the UN financially to ensure the speedy and effective implementation of resolution 1995/77 passed by the United Nations Human Rights Commission on March 8, 1995, calling for the deployment of human rights monitors in such locations as would facilitate improved information flow and assessment and would help the independent verification of reports on the situation of human rights in the Sudan;
  12. Urges the IMF to regard significant cuts in the defence and security budgets of the Government of Sudan as a pre-condition for the successful implementation of IMF prescribed economic reform and requests the IMF and the African Development Bank to refrain from granting any facilities for as long as the Government of Sudan fails to comply with the requests of the OAU and the UN Security Council and fails to prevent gross human rights violations;
  13. Calls upon the IGAD to stick to its Declaration of Principles as an agenda and basis for future political negotiations; despite the bleak prospects of a negotiated just and lasting peace;
  14. Urges the IGAD countries to identify opportunities to involve representatives of Sudan's civil society, most notably those involved in peace making and reconciliation initiatives on community levels, in future peace initiatives;
  15. Supports the implementation of UN resolution 1070 imposing a ban on all aircraft, either registered in Sudan or owned, leased, or operated by or on behalf of Sudan Airways from taking off from, landing in or overflying other national territories, and a closure of the offices of Sudan Airways abroad;
  16. Calls on the international community to maintain sanctions against the Government of Sudan and on the EU not to resume development cooperation until the Government of Sudan refrains from human rights violations and denial of humanitarian relief to sectors of its own people;
  17. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, the OAU, the UN, the UNDP, the IMF, the ADB and the Government of Sudan.
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RESOLUTION<sup>(1)</sup>

## on Nigeria

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. deeply concerned at the maintenance in power through the use of force of the military regime led by General Sani Abacha, following the annulment of elections in 1993, at the continued detention without trial of the winner of the 1993 elections, Chief Moshood Abiola, and at the regime's clear intention — as evidenced in the local elections which took place on 15 March 1997 — of conducting a transition programme on terms designed to exclude opposition groups from participation,
- B. disturbed by the reports of international human rights organizations and institutions about continuous human rights violations, public executions and violations of the right to freedom of expression,
- C. concerned that despite the sanctions imposed by the EU, arbitrary arrest, extrajudicial and summary executions, disappearances, cases of torture and ill-treatment of human rights and pro-democracy activists still continues,
- D. concerned that the rights provided for in the Convention on the Rights of the Child still have no legal status in Nigeria as proved by the low age of criminal responsibility, the conditions and treatment of children in detention and the lack of necessary safeguards against excessive use of force against children by law enforcement officials,
- E. whereas two and a half years after the electoral process was violently suspended the military government is still using violence to remain in power, and the continuing arrests of political leaders and representatives of civil society point to the undemocratic and dictatorial nature of that military regime,
- F. greatly disturbed that many prisoners of conscience remain in detention in terrible conditions and that many more continue to be arrested, and that the 'Ogoni 19' will face trial before a special tribunal of the same type that sentenced Ken Saro Wiwa and eight other Ogoni activists to death in November 1995,
- G. whereas the municipal elections, due to be held in December 1996, have been postponed indefinitely,
- H. deploring the Nigerian Government's refusal to permit the UN special rapporteurs on the independence of judges and lawyers and on extrajudicial, arbitrary and summary executions to conduct a fact-finding mission to Nigeria on their standard terms of reference, and welcoming the decision by the UN not to proceed with its mission on this basis,
- I. noting with regret that the dialogue between the Commonwealth and the Nigerian authorities has led neither to any improvement in the human rights situation nor to the expected free democratic order,
- J. welcoming the extension for a further six months of the limited measures which the European Union has taken against Nigeria, but regretting that more forceful measures, in line with this Assembly's recommendations, have not been adopted,
- K. regretting that international oil companies are still operating in Ogoni country despite human rights violations and environmental degradation,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



- L. convinced, however, that despite the sanctions introduced at international level and, in particular, those decreed by the European Union, only measures aimed at isolating the country economically, in particular through an oil embargo, are liable to oblige the Nigerian regime to establish a democratic constitutional system,
- M. reaffirming its condemnation of the execution in November 1995 of Mr Ken Saro Wiwa and eight other Ogoni ecologist activists, members of the Movement for the Survival of the Ogoni People (MOSOP), following a series of iniquitous trials of a political nature and the murder in June 1996 of the wife of the President elected democratically in June 1993, Moshood Abiola, who has been in prison since June 1994,
1. Condemns the Nigerian military regime for its continuing brutal repression of those who oppose its rule and calls on the Council, the Commission and Member States to strengthen the measures currently in place to put pressure on the Nigerian government and to ensure that they are strictly enforced;
  2. Appeals to the international community, the EU and the Commonwealth in particular, to continue exercising sanctions until the Nigerian regime stops its atrocities against its population, especially children, and embarks on a realistic democratization process;
  3. Insists on the immediate and unconditional release of all political prisoners and detainees imprisoned for the non-violent expression of their political views, including human rights defenders and Mr Moshood Abiola, unless they are to be charged and tried promptly and fairly with full rights of defence;
  4. Considers that current arrangements for a return to civilian rule by October 1998 in Nigeria do not represent a genuine democratic process;
  5. Calls on the Nigerian Government to engage the opposition in a constructive dialogue to resolve the country's current political deadlock so that an interim government headed by Chief Abiola can be established to oversee free and fair democratic elections;
  6. Calls on the Nigerian Government to compensate financially all victims of human rights violations, and in particular the relatives of Ken Saro Wiwa and his co-accused, as recommended by the April 1996 fact-finding mission of the UN Secretary-General;
  7. Calls on the Commonwealth to expel Nigeria at the next Heads of State meeting on the grounds that the Harare principles have not been respected, and to step up measures taken against the regime on the basis that its efforts at dialogue with the Nigerian Government have so far failed to produce any significant progress in terms of progress towards democracy, respect of human rights and the rule of law;
  8. Notes that the sanctions currently applied by the European Union against Nigeria have not really been effective, and therefore calls on the European Union to be vigilant about the effective impact of the implementation of its sanctions;
  9. Calls, once again, on the European Council to implement the following measures:
    - an embargo on the exploitation of Nigerian oil;
    - freezing of financial assets held in the EU by the Nigerian Government and of members of the Provisional Ruling Council and Federal Executive Council and their families;
  10. Repeats its call for a total ban on arms exports to Nigeria from the European Union, including exports relating to contracts signed before the current embargo came into effect, and for the introduction of a case-by-case review, with a presumption of denial, on all 'dual use' equipment which may have both military/security and civilian purposes;

11. Calls on the Member States not to grant visas to members of the Nigerian regime;
12. Calls on the European Union Member States to grant refugee status to Nigerians in exile who are opposed to General Abacha's military regime, as provided for in the Geneva Convention on Refugee Status;
13. Calls on the Union to step up humanitarian assistance to the Nigerian people, in particular to the most vulnerable and those likely to be affected by the sanctions imposed against the regime;
14. Invites members of official Nigerian political parties due to visit the EU in April and members of the Nigerian Opposition to meet under the auspices of the Joint Assembly to pursue discussions on the basis of Article 5 of the Lomé Convention;
15. Instructs the Bureau of the Joint Assembly to immediately send a mission to Nigeria to meet political prisoners and to report back on their condition and the reasons for their detention, so that this information can be transmitted to the 53rd UN Session of Human Rights which is due to discuss the situation in Nigeria;
16. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations Security Council, the United Nations in Geneva, the OAU, the Nigerian Government and the presidents of oil companies operating in Nigeria.

# RESOLUTION<sup>(1)</sup>

## on the situation in Angola

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to its previous resolutions on the situation in Angola,
  - having regard to the declaration by the Presidency on behalf of the European Union of 3 February 1997,
  - having regard to the resolutions adopted by the UN Security Council on the situation in Angola, in particular resolutions 1093 of 27 February 1997, 1087 of 11 December 1996 and 1098 of 27 February 1997,
- A. welcoming recent progress towards the implementation of the Lusaka Protocol, in particular the incorporation of officers and soldiers of Unita into the Angolan armed forces and the decision of Unita to take their seats at the Angolan National Parliament,
  - B. but noting with deep concern certain irregularities and delays, partly attributable to Unita, in the implementation of the peace process,
  - C. noting however with satisfaction that an agreement was reached on 19 February 1997 between Unita and the Angolan Government, which will enable government administration to be reinstated in the regions previously administered by Unita and thus from March 1997 the authority of the State to be restored throughout Angolan territory,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- D. recognizing the strenuous efforts of the United Nations Secretary General's Special Representative in Angola, Mr Alioune Blondin Beye, and of the Troika to maintain both Unita and the Government in a consultation spirit on the peace process that should lead to a government of national unity and reconciliation,
- E. whereas the quartering process is making good progress since 70 000 Unita soldiers have to date been stationed in some fifteen sites, although there are reports of 25 000 desertions and absences,
- F. deploring in particular the fact that the government of unity and national reconciliation was not formed by the date originally agreed,
- G. whereas a new time frame has been defined by the Joint Commission, which has set 18 March 1997 for the Unita MPs to take the oath and 20 March for the government of national unity to be formed,
- H. deploring the extreme gravity of the social situation facing the Angolan people in the aftermath of the civil war and the threat posed by the large number of anti-personnel mines in the country,
- I. approving the United Nations Security Council resolution of 27 February extending the mandate of Unavem III to 31 March and calling on the parties, in particular Unita, to take decisive measures, as a matter of urgency and under threat of reprisals, to honour the commitments made at Lusaka in 1994 and hence to form a government of national union and reconciliation, as stipulated in those agreements, as soon as possible,
1. Reaffirms its support for full integration of the Lusaka peace agreements and protocol, in a spirit of reconciliation, and calls on all the parties to comply with the commitments entered into in these agreements, with the necessary determination and good faith;
  2. Takes note of the new time frame adopted by the Joint Commission for the formation of the government of national unity and the integration of Unita MPs in the new National Assembly, and urges the parties, particularly the leaders of Unita, to comply scrupulously with it;
  3. Pays tribute to the mediation effort carried out on the spot by the UN Secretary General's special representative, Mr Blondin Beye, and by the countries acting as observers in the peace process;
  4. Calls on the international community and the United Nations Security Council in particular to continue the Unavem III support until a final settlement of the Angolan conflict is reached;
  5. Appeals to the international community and the EU in particular to continue its contribution to the peace process in Angola and to help create better conditions for the reintegration and rehabilitation of former soldiers into civilian life;
  6. Calls, therefore, on the international community as a whole to provide the necessary financial and technical assistance to measures to restore infrastructure, mine clearance campaigns and, more generally, economic regeneration; recalls in this connection Angola's enormous and urgent needs in schools, hospitals, road infrastructure and basic necessities;
  7. Calls on the Commission and the United Nations to provide financial encouragement to the work of NGOs involved in mine clearance operations in Angola and proposes that public information programmes and programmes to train national specialists be set up;
  8. Calls on the Commission to pursue its efforts to implement the Community Rehabilitation Programme discussed in Brussels in September 1995 and to increase the EU delegation to Luanda with the appropriate staff;

9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the signatory states of the Lomé Convention, the leaders of Unita, the UN Secretary-General, the OAU and the Troika countries — the United States, Russia and Portugal.

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## RESOLUTION<sup>(1)</sup>

### on the ongoing crisis in Bougainville

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. referring to the nine-year-old violent conflict in Bougainville which has resulted in an untenable situation from a humanitarian point of view,
- B. bearing in mind its resolution on the ongoing crisis in Bougainville adopted on 1 October 1992,
- C. referring to Article 5 of the revised Lomé IV Convention in which contracting parties, *inter alia*, reiterate their deep attachment to human dignity and human rights,
- D. referring to the resolutions on the Bougainville conflict of the United Nations Commission on Human Rights (1993/76, 1994/81, 1995/65) and the Sub-Commission on Prevention of Discrimination and Protection of Minorities (1992/19, 1994/21),
- E. noting that its 1992 resolution was not implemented, despite an official invitation from the Government of Papua New Guinea of 4 October 1993 for a fact-finding mission,
  1. Expresses its deep concern at the recent worsening of the situation in Bougainville and its continuing spill-over effects on neighbouring Solomon Islands, after hopeful developments in 1994;
  2. Calls on all parties to give priority to the alleviation of the humanitarian situation and to facilitate humanitarian aid;
  3. Calls on all parties concerned to facilitate human rights monitoring by giving access to independent observers throughout Bougainville;
  4. Proposes sending a Joint Assembly fact-finding mission to Papua New Guinea and Bougainville for closer deliberations with the task of producing a report for the Assembly;
  5. Urges therefore the ACP-EU Bureau and the concerned European institutions to give priority to organizing such an international mission which should also visit Solomon Islands, particularly Choiseul and the Shortlands Islands, which have and are still bearing the brunt of the spill-over effects of the conflict;
  6. Calls on the conflicting parties to seize the mission as a catalyst for renewed dialogue, and therefore to facilitate the work of the mission so that the participants will be able to get a complete picture of the humanitarian situation and the conflicting interests;
7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, to the Governments of Papua New Guinea and the Solomon Islands, the Commonwealth Secretariat and the South Pacific Forum Secretariat.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



RESOLUTION <sup>(1)</sup>

## on South Africa

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- recalling its previous resolutions on the state of bilateral negotiations on future relations between South Africa and the European Union,
- A. recognizing the continuing levels of poverty and underdevelopment which remain in South Africa as legacies of the apartheid era,
- B. welcoming the commencement of formal negotiations between the EU and South Africa to conclude a series of agreements relating to trade, fisheries, wine and spirits and qualified Lomé accession at the beginning of this year, and considering that the content of these agreements should reflect the strong political statements of support both for South Africa and for Southern Africa made by the EU on the 19th April 1994 and in the Berlin Declaration of September 1994,
- C. welcoming the statement made by the EU, further to those negotiations, supporting the concept of a phased Trade and Development Agreement with South Africa, and convinced that any EU-South Africa trade agreement should be based on a recognition of the different sizes and levels of development of the EU and the South African economies and on the relative importance of each partner in the others trade,
- D. noting that substantial progress has been made in the negotiations on the accession of South Africa to the Lomé Convention since the South African government presented its negotiating mandate that envisages a trade and development agreement,
- E. recognizing that while the EU list of product exclusions constitutes only 4 % of total imports from South Africa, it constitutes around 40 % of the products through which South Africa could benefit from a FTA agreement,
- F. concerned by the introduction of a 'conditional linkage' between the approval of the Lomé Protocol for South Africa by the EU and progress in negotiations to conclude an EU/South Africa fisheries agreement,
- G. fully supporting efforts to ensure that any agreements reached should take into account their impact on the Southern African region, and in particular on the other members of the Southern African Customs Union and the Southern African Development Community,
- H. concerned at the delay in releasing the results of the study financed by the Commission on the regional implications of the EU-South Africa trade negotiations,
- I. deeply concerned by the income losses being generated throughout the Southern African beef industry by subsidised exports of EU beef to South Africa, and noting that, as a result of those subsidies, the customs cleared price for EU beef is approximately half the South African wholesale price,
- 1. Calls on the EU Council to support the approval of the protocol of accession agreed by South Africa and the Commission's negotiating team;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

2. Asks the European Commission negotiating team to take all the necessary steps to have the negotiations on the accession of South Africa to the Lomé Convention concluded by the ACP-EU Council of Ministers meeting of 24-25 April 1997 in Luxembourg;
  3. Calls for greater asymmetry of content to be built into any EU-South Africa reciprocal trade agreement;
  4. Calls upon the General Affairs Council of the EU to reject all forms of linkage and to approve the long overdue Lomé Protocol for South Africa's accession to the Lomé Convention so as to make accession possible at the forthcoming April ACP/EU Joint Council Meeting in order to take advantage of Article 364 of the Lomé Convention;
  5. Calls upon the EU to grant South Africa the right to bid for contracts from both the 7th and the 8th EDF funds;
  6. Calls upon the ACP-EU Customs Cooperation Committee, in the context of the rules on cumulation, to clearly and rapidly define the phrase 'ad hoc' in a manner which promotes increased regional investment flows from South into Southern Africa;
  7. Calls upon the Commission to make available to all Joint Assembly members copies of the study on the regional implications of the EU-South Africa trade negotiations;
  8. Calls upon the Commission to make concrete proposals so that adjustment costs borne by the BLNS countries as a result of a reciprocal EU-South Africa trade agreement can be fully addressed;
  9. Believes that, in the interests of balanced regional development in Southern Africa, tariff elimination should only be introduced after tariffs have been eliminated on imports from neighbouring SADC countries, in order to ensure neighbouring countries gain the full benefits of duty free access to the South African market;
  10. Calls upon the Commission to pay close attention to the question of the sequencing of tariff elimination in its approach to the current trade negotiations with South Africa;
  11. Calls upon EU Agricultural Ministers to cease providing export subsidies on EU beef exports to South Africa in line with the South African Government's request of August 1996;
  12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission and the Government of South Africa.
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RESOLUTION<sup>(1)</sup>

## on Southern Africa

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. aware of the existing evidence that there is a strong dependence on wild resources by rural poor and that these resources have a potential to serve as an engine for sustainable rural development,
- B. considering that Africa's greatest environmental threat is the loss of soils and woodlands productivity caused by the increasingly frequent cultivation and grazing of wild lands which are marginal to agriculture,
- C. aware that the conservation of wild species and habitat will succeed in the long run only if it can generate revenue as an economically competitive form of land use and that the value of wild species must be enhanced if it is to become an economically competitive land use,
- D. aware of the success that integrated conservation and development programmes based on the management of wild species by rural communities are having in the Southern African region,
- E. acknowledging the ability of such community conservation processes to provide real and tangible benefits to communities through the sustainable use of the wild resources,
- F. considering that Zimbabwe will host the Global Biodiversity Forum and the CITES COP 10 in June 1997,
  - 1. Requests the European Union to explicitly support African community-based natural resource management programmes aiming at conserving natural resources through rural communities empowerment and sustainable use of wild species;
  - 2. Requests the European Union to implement a biodiversity conservation policy consistent with the principles of sustainable use and equitable sharing of benefits of world's biological diversity and the biodiversity conservation strategies of Southern African nations which aim at reconciling the conservation of biological diversity with the improvement of the quality of life of their rural poor;
  - 3. Requests the Member States of the European Union to support at the CITES COP 10 proposals submitted by Southern African nations seeking the conservation of wild species of fauna and flora through the realisation of its full economic value for conservation and development purposes;
  - 4. Urges the Parties to CITES attending next COP 10 to base their decisions on the best scientific information available so that Southern African conservation and rural development programmes based on the sustainable management of wild species are not jeopardised by the imposition of Western values which often ignore human needs;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, the CITES Secretariat and the Biodiversity Convention Secretariat.

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## RESOLUTION<sup>(1)</sup>

### on the situation in Southern Africa

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- having regard to its previous resolutions on the developments in the Southern African region,
- A. concerned by the recent severe floods that occurred in Mozambique and Malawi which left over 400 000 people homeless,
- B. noting the continuing efforts of the Government of Mozambique to rehabilitate the country's economy and consolidate democratic institutions,
- C. noting that the mandate of UNAVEM III in the Angolan peace process expires on 31 March 1997,
- D. deeply concerned at the second delay in the formation of the Government of Unity and National Reconciliation, as a result of the failure of UNITA to meet the timetable established by the joint Commission in the context of the Lusaka Protocol,
- E. aware of the importance for the parties, in particular UNITA, to take urgent and decisive steps to fulfil their commitments in order to ensure the continued involvement of the International Community in the peace process in Angola,
- F. noting the region's efforts at conflict prevention and resolution through the creation of the SADC organ on politics, defence and security, in Southern Africa as well as in other parts of Africa,
- G. encouraged by the progress in the initiative by Swaziland to engage in a consultative process with a view to revising the constitution of the country,
- H. welcoming the holding of peaceful presidential and parliamentary elections in Zambia in November 1996,
- I. noting the ongoing negotiations between the Government of South Africa and the European Union for a comprehensive Trade and Development Agreement, as well as South African qualified membership of the Lomé Convention,
- J. welcoming the positive outcome of the 2nd SADC/EU Ministerial Conference held in Windhoek, Namibia on 14-15 October 1996,
- K. noting the positive outcome of the 1997 SADC Annual Consultative Conference held in Windhoek from 9 to 10 February 1997,
- L. welcoming the Commonwealth Heads of Government Round Table on democracy and good governance in Africa which was held in Kasane, Botswana, on 26-27 February 1997,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- M. encouraged by the commitment of the countries of the Southern African Development Community (SADC) to build, consolidate and strengthen democratic institutions through accountability, transparency, good governance and the rule of law; and to the maintenance of political stability and the realisation of integrated sustainable economic development in the region,
- N. further encouraged by the strong commitment of the SADC countries to respect human rights, fundamental freedoms and the principles of democracy,
- O. aware of the commitment of the countries of the southern African region to the promotion of regional cooperation and integration through duly mandated regional bodies such as SADC and the Common Market for Eastern and Southern Africa (COMESA),
- P. noting that Sub-Saharan Africa is extremely rich in biological diversity,
- Q. accepting that there is a strong dependence on wild animal resources by rural people and that these resources have a potential to serve as an engine for sustainable rural development,
- R. observing that the challenge of biodiversity conservation efforts lies in ensuring the survival of biodiversity while meeting the needs of rural people,
- S. aware of the success that community-based natural resource management programmes are having in the region,
- T. acknowledging the ability of such community conservation processes to provide real and tangible benefits to communities through the sustainable use of wild species,
- U. considering that Zimbabwe will host the Global Biodiversity Forum and the CITES COP 10 in June 1997 and that several African nations are concerned with the listing of valuable wild species of flora and fauna,
- V. welcoming the forth-coming EU-SADC Conference on the Management of Shared River Basins to be held in Lesotho on the 20-21 May 1997,
- W. noting that Cape Town is the only city in Africa on the shortlist to host the 2004 Olympic Games,
- X. concerned by the current classification of subsidised EU beef exports to South Africa,
- Y. noting with appreciation the decision by the governments of South Africa, Swaziland and Mozambique to prohibit the production, use and export of anti-personnel mines, and the recommendation to the same effect by a regional conference held in Maputo in March,
1. Calls on the EU to provide emergency assistance for victims of the recent floods in Mozambique and Malawi;
  2. Reiterates its call to the European Union to continue its assistance for the reconstruction efforts and for the consolidation of democratic institutions in Mozambique and to increase its financial and technical assistance for the removal of land mines to enable demobilized soldiers and others to engage in expanded farming activities;
  3. Urges the Government of Angola and in particular UNITA to solve the remaining military and other issues and to establish the Government of Unity and National Reconciliation;



4. Appreciates the assistance rendered by the EU and the international community in the implementation of the peace process in Angola and appeals to the EU to continue assistance for reconstruction and rehabilitation of the Angolan economy, demining and humanitarian assistance to refugees and displaced persons after the withdrawal of UNAVEM III;
5. Appeals to the European Union and the international community to provide support for the process of democratization in Swaziland;
6. Congratulates the people of Zambia on the holding of peaceful presidential and parliamentary elections and urges the international community, the European Union Member States, the European Commission and the European Parliament to assist the people of Zambia in their efforts to promote further the democratic process;
7. Re-emphasizes the need for the greatest possible compatibility between an EU-South Africa trade regime and the Lomé trade regime applied to other SADC countries, in order to promote greater intra-regional trade and cooperation in Southern Africa;
8. Continues to support South Africa's application for qualified membership of the Lomé Convention, bearing in mind the direct and indirect effects on other countries in the region and South Africa's regional Foreign Policy and urges the EU to complete the process of accession timeously in order to make use of Article 364 of the Lomé IV Convention;
9. Calls on the European Union to effectively address the question of regional cumulation under the Lomé rules of origin, by clarifying the ad hoc provision that could militate against the most effective utilization of this facility to promote regional cooperation and development;
10. Calls on the European Union to ensure that a proposed Trade and Development Agreement acknowledges the need to prioritize the processes underway to establish a Free Trade Area in SADC as envisaged in the SADC Trade Protocol signed in Maseru in August 1996;
11. Appreciates the European Union's acknowledgement that a trade agreement with South Africa should be asymmetrical in both timing and content, and calls on the European Union to produce concrete proposals to assist SACU and SADC neighbours to cope with any adjustment costs arising from a trade agreement with South Africa;
12. Requests the EU and the International Community to support the region's efforts to encourage mutually-supportive sustainable use of natural resources by rural communities;
13. Appeals to the European Union to assist SADC to strengthen the region's institutional structures at the national and regional levels to achieve the level of productivity necessary for sustainable development;
14. Urges the European Union and the international community, to increase its assistance to the Southern African region to deal with the emergency disaster situations such as the recent floods and also to strengthen effective long-term disaster preparedness and prevention mechanism in the region;
15. Appeals to the international community, and in particular the European Union, to make an additional allocation of resources to regional cooperation and integration activities in Southern Africa, especially through the duly mandated regional bodies of SADC and COMESA, with a view to combating poverty and fostering functional cooperation programmes;
16. Calls upon the international community, in particular the European Union, to continue supporting the democratic process in Southern Africa in the region's efforts to establish democratic institutions necessary for protecting and consolidating infant democracies in the region;

17. Requests the European Union to support financially and encourage at institutional level African community-based natural resource management programmes;
  18. Requests the European Union to support in international fora all initiatives undertaken by African nations aiming at the effective and consistent implementation of the principles of the Rio Declaration and the Agenda 21;
  19. Requests the international community to show solidarity and accountability when undertaking any international initiative which might affect the ability of African nations to derive benefits from the sustainable use of biodiversity resources;
  20. Requests the Member States of the African, Caribbean, Pacific and the European Union to favourably consider proposals from African nations aimed at conserving wild species through sustainable use and responsible trade as an effective way of conserving wild ecosystems while contributing to the economic development of their poorest rural areas;
  21. Commends the European Union for its assistance in the organization of the EU-SADC Conference on the Management of Shared River Basins aimed at the proper utilisation of scarce water resources in the region;
  22. Requests Member States of the African, Caribbean, Pacific and the European Union to support Cape Town in her bid to become the first city in Africa to host the Olympic Games;
  23. Calls upon the EU to address the distortions created on the South African market by securing a reclassification of South Africa for export refund purposes, and hence, a reduction in the levels of export subsidies being paid;
  24. Calls on the governments of countries that continue to manufacture, use and export antipersonnel mines, particularly EU Member States, to match the initiatives of Southern Africa and work with the ACP countries towards making a comprehensive international ban a reality;
  25. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, the Southern Africa Development Community and the South African Government.
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RESOLUTION<sup>(1)</sup>

## on beef exports to South Africa

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. having regard to the importance of rural development and the campaign against poverty to European development policy in southern Africa,
  - B. having regard to the prominent place of cattle breeding in the rural economy of southern Africa,
  - C. deeply concerned at the drastic fall in the earnings of cattle breeders in South Africa, which should be attributed to the sharp rise in subsidized beef exports from the EU to South Africa,
  - D. disturbed at the sudden decline in the marketing, promoted by EU development policy, of beef in northern Namibia,
  - E. whereas South Africa and Lesotho have been classified as part of the area for the highest export refunds<sup>(2)</sup>,
  - F. having regard to the existing customs union and the associated free movement of goods between South Africa, Namibia, Botswana, Lesotho and Swaziland (SACU), and to EU beef imports from Namibia and Botswana,
  - G. having regard to requests from South Africa and Namibia to scrap EU export refunds for beef exports to South Africa,
  - H. convinced that in the interests of stabilizing self-sufficiency in food and security of food supply throughout the world it must be permissible to construct effective external protection in the case of food imports,
- 1. Calls on the Commission and Council to scrap export refunds for beef exports to South Africa and Lesotho, since the target zone of such exports is in fact the SACU and not individual Member States of the SACU;
  - 2. Calls on the Commission and Council to set up forthwith a common permanent forum for all those concerned, with the participation of the European Parliament, to guarantee close coordination between the institutions and prevent a lack of cohesion between EU development policy and the common agricultural policy;
  - 3. Calls on the Commission and Council not to devolve the costs and risks that have arisen in the present crisis in the EU beef market to third countries and accordingly to exercise the utmost care when monitoring the origin of beef exported to third countries, in order to preclude any further spreading of BSE in third countries and imperilling those countries' consumers;
  - 4. Calls on the Commission and Council totally to abolish export refunds at the next WTO negotiations and in the forthcoming review of the CAP, and to use the negotiating margin thus obtained to establish minimum cost prices and social/ecological criteria for the trade in foodstuffs;
  - 5. Instructs its Co-Presidents to forward this resolution to the Commission, the ACP-EU Council and the parliaments and governments of the SACU States.

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

<sup>(2)</sup> OJ L 282, 1. 11. 1996, p. 4.

RESOLUTION<sup>(1)</sup>

## on the impact of subsidized EU beef exports

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- A. recognising that the promotion of rural development and poverty alleviation has been a central objective of EU development policy in Southern Africa under successive Lomé Conventions,
- B. recognising the importance of the livestock sector to the rural economies of Namibia, Botswana and Swaziland, and the central importance of the South African market for all sub-sectors of the cattle industry, particularly in Namibia,
- C. commending the EU for the extensive development assistance which it has extended to the development of production and marketing of cattle and cattle products in Namibia, Botswana and Swaziland, which has contributed to improving rural incomes,
- D. in the light of
  - the tenfold increase in EU beef exports to South Africa since 1991,
  - average landed prices for EU frozen boneless beef of Rand 2,66 per kg (which in 1996 was 51 % below the domestic South African wholesale price),
  - the provision of export restitution payments of Rand 6,18 per kg on exports of EU frozen boneless beef to South Africa,
- E. viewing with extreme concern the rapid expansion of EU beef exports to South Africa which benefit from extensive export refunds,
- F. believing that this massive expansion of subsidised EU beef exports to South Africa has resulted in income losses to South African, Botswanan, Swaziland and Namibian cattle farmers totalling hundreds of millions of Rand,
- G. believing that the application of the EU export restitution scheme for beef exports to South Africa constitutes a fundamental incoherence between EU development cooperation policy objectives in favour of rural development in livestock dependent economies and the current application of this particular instrument of the Common Agricultural Policy,
- H. in the light of:
  - the request of the South African government of 29 August 1996, for immediate reclassification out of eligibility for export restitution payments,
  - the October 1996 appeal by the Meat Producers Association of Namibia to EU Foreign Ministers to end export subsidies on beef exports to South Africa,
  - the recent appeal of the South African Minister of Agriculture to the EU President-in-Office for assistance in halting subsidised EU beef exports to South Africa,
- 1. Calls on the EU Council of Agricultural Ministers to instruct the appropriate departments of DG VI to take immediate steps to reclassify South Africa such that export restitution payments on EU beef exports to South Africa are ended;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

2. Calls on the EU Development Council to take an immediate initiative to establish an ongoing dialogue with the EU Agricultural Council and appropriate departments of DG VI, to ensure that the application of the various instruments and mechanisms of the CAP do not undermine the promotion of the objectives of EU development cooperation policy in various regions of the developing world;
3. Calls for the Commission to draw up an annual report on the achievement of coherence between EU development policy objectives and the application of the various policy instruments of the CAP, with particular reference to cases involving appeals from developing countries;
4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission and the EU Agricultural Council.

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#### RESOLUTION<sup>(1)</sup>

##### on the social situation in Niger

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. whereas the peace process which has been initiated in Niger and which resulted in the Peace Agreement of 24 April 1995 will remain fragile unless it is accompanied by appropriate aid for the reintegration of displaced populations,
  - B. commending Niger for the efforts it has made to restore peace and calling on the Government of Niger to persevere in this direction,
  - C. whereas, at the end of the national conference held in 1991, political pluralism was recognized as a fundamental democratic right,
  - D. whereas the last farming year in Niger has been marked by a substantial food deficit,
  - E. whereas Niger has for many years been experiencing a serious economic crisis, which is preventing it from tackling the disastrous social consequences generated by this situation,
1. Calls on the Commission, the Council, the Member States of the European Union and of the ACP Group to step up their aid and support for Niger in the context of the consolidation of peace;
  2. Calls on the Commission, the Council and the Member States of the European Union and of the ACP Group to provide emergency food aid and to list the appropriate ways of achieving a lasting solution to this food crisis, in particular through the implementation of a medium- and long-term food security mechanism;
  3. Calls on the Government of Niger to respect human rights and political pluralism, which form part of the 'essential element' of development cooperation in the context of the revised Lomé Convention;
  4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, and the government and parliament of Niger.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



RESOLUTION<sup>(1)</sup>

## on Western Sahara

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- having regard to its previous resolutions on the subject,
- A. having regard to the Madrid Tripartite Agreements by which the Spanish, Moroccan and Mauritanian governments established the partition of Western Sahara, in blatant violation of the legitimate rights of the Sahrawi people to self-determination, and in contravention of international law,
- B. whereas the Kingdom of Morocco has been obstructing the preparation and organization of the referendum on self-determination planned by the United Nations,
- C. drawing attention to the resolutions by the United Nations and the Organization of African Unity,
- D. whereas James Baker has been proposed to act as mediator in the present conflict between the Kingdom of Morocco and the Polisario Front,
- E. whereas the UN Secretary General has put forward a proposal to revive the peace process,
  - 1. Demands that the Kingdom of Morocco comply with international resolutions and cease to impede the preparation and organization of the referendum;
  - 2. Requests the Kingdom of Morocco to resume direct talks with the Polisario Front;
  - 3. Requests the United Nations and its Secretary General to take the necessary steps to ensure compliance with its resolutions, restart the identification process and create the necessary conditions for holding the referendum on self-determination to which the Sahrawi people has a legitimate right;
  - 4. Calls on the EU to take account of the interests of the Sahrawi people in the agreements it reaches with the Kingdom of Morocco;
  - 5. Calls on the EU to ensure that the Sahrawi people receives cooperation and humanitarian aid on a sufficient and urgent basis;
  - 6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the government of the Kingdom of Morocco and the Polisario Front.

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(1) Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

RESOLUTION<sup>(1)</sup>

## on bananas

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- reaffirming the resolutions adopted by this Assembly on 6 October 1994 in Libreville, on 3 February 1995 in Dakar, on 29 February 1996 in Windhoek and on 25 September 1996 in Luxembourg,
- recalling the resolutions adopted in this regard by the 64th session of the ACP Council held in Brussels from 13 to 15 November 1996,
- A. re-emphasizing the importance of ACP and European banana industries to foreign exchange earnings, employment infrastructural development, environmental protection and the general socio-economic development of the States concerned,
- B. considering that a disruption in the banana trade would result in severe unemployment, loss of export earnings and a collapse in some economies with devastating consequences for social and political stability,
- C. noting with concern that excessive supplies in the market as a result of the increase in the tariff quota for dollar zone countries above the level of demand has led to the collapse of prices in the European Union market,
- D. whereas the fall in prices is causing extreme penury for ACP and Community producers,
- E. recalling the objectives of the ACP-EC Convention for improving ACP trade with the EU, and in particular the commitment in Protocol 5 on Bananas, including Annex LXXIV in the Lomé IV Convention, to safeguard access for the ACP producers on their traditional markets and to improve the conditions under which ACP bananas are produced and marketed,
- F. noting that the EU banana regime established by Regulation (EC) No 404/93 makes provision for ensuring that the EU's commitment to the ACP banana-producing States is honoured under the common organization of the market (COM) for bananas,
- G. whereas the COM is designed to ensure that ACP suppliers and Union producers will continue to obtain an economic return in the Community market, and whereas the absence of income support for ACP producers makes the need to obtain a proper return in the market place still more important for all concerned,
- H. whereas the Court of Justice of the European Communities has accepted the legal validity of the common organization of the market in bananas, and whereas the COM is included in the Marrakesh Agreements signed by all the GATT contracting parties,
- I. considering that the ACP Group has submitted its position for consideration in the current Commission proposal to Council for amending the regulation,
- J. having regard to the opinion of the European Parliament of February 1997 on the Commission proposals for reform of the COM in bananas,
- K. noting with concern that the ACP banana exports to the Union have been capped at a maximum quantity, whereas the Latin American exports of 'dollar' bananas have been allowed to expand through increases in the tariff quota, even to the detriment of market prices,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- L. concerned that the ACP's request for the case of Somalia to be treated as one of force majeure has not been favourably considered, despite the severe hardship arising from the adverse effect of the civil unrest on that country's industry,
- M. extremely concerned about the challenges to the regime, in particular the current WTO Dispute Settlement Panel, established at the request of the USA and four Latin American countries to determine the compatibility of the Regime with international trade rules,
- N. gravely concerned by the interim report of the WTO Panel, which casts doubt on the Community banana regime,
1. Urges the Council of the European Union immediately to set up an adequate response based on a political determination to preserve the interests of ACP and European banana producers;
  2. Strongly supports the position adopted by the European Parliament, which was consulted on the proposals for reform of the COM in bananas and rejected any increase in the tariff quota beyond 2,3 million tonnes and restored 30 % of the import licences reserved for Union producers and traditional ACP suppliers and urges the Commission and Council to follow the opinion expressed by Parliament;
  3. Calls on the Council of the European Union to:
    - i) ensure that the commitment to the ACP and European producers is maintained by guaranteeing that the advantages in and access to the EU market for ACP and European bananas are not eroded;
    - ii) give urgent favourable consideration to the ACP's position submitted with regard to the proposed amendments to Regulation (EC) 404/93, particularly:
      - arrangements for transferability similar to those in the GATT Framework Agreement permitting Latin American banana-supplying States to reallocate, on a temporary basis, quantities delivered short in any one year by one or more supplying states, to be extended to ACP suppliers within a global arrangement without geographical limitations and to include non-traditional suppliers;
      - *force majeure* provision;
      - exemption from 'dollar' licence requirements for the 90 000 tonnes non-traditional quantities allocated in the Framework Agreement;
      - the special situation of the Windward Islands;
      - allocation of a specific quota to Ghana;
    - iii) permit ACP countries and European producing regions to participate in any growth or expansion of the EU banana market;
  4. Urges the Commission to:
    - i) show the utmost firmness in the defence of the banana regime against the USA and the Latin Americans in the WTO and take full advantage of the appeal process under the dispute settlement mechanism;
    - ii) take appropriate measures to ensure that there is no collapse in market prices which would significantly reduce the earnings of ACP producers;
    - iii) favourably consider the ACP's request for the special case of Somalia to be treated as one of force majeure;
  5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

RESOLUTION<sup>(1)</sup>

## on rum

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- reaffirming its resolution on rum adopted by the ACP-EU Joint Assembly at its 20th session in Dakar (Senegal) from 26 January to 3 February 1995,
- recalling the resolutions on this subject adopted by the ACP-EU Joint Assembly on 6 October 1994 during its 19th session in Libreville (Gabon),
- A. having regard to the importance of trade as an instrument of development for the ACP States and of rum exports to the EU on the economies of the ACP rum producing states,
- B. considering that the rum industry is a major exchange earner and employer of labour and hence contributes to the socio-economic development and political stability in ACP States,
- C. noting that Protocol 6 on rum of the Fourth Lomé Convention provides for duty-free entry of ACP rums into the EU under conditions which allow for the development of traditional trade flows between the ACP States and the EU,
- D. recalling that the Protocol imposed quantitative restrictions on the imports, but made allowance for annual increases in the quota, in response to market demand and the eventual abolition of the quota system,
- E. considering that the quota system was only partially abolished in January 1996 despite repeated requests from the ACP for its total abolition to facilitate the development of their industries,
- F. considering also that ACP rum producers made substantial investments in the development and marketing of their product within the constraints of the quota system, which to a large extent restricted their trade to low margin bulk rum,
- G. noting that the ACP are intensifying their promotion campaign to develop a market for the higher quality branded rums and estimate that they would require at least ten years before they would be able to compete in a tariff free market with rums from other regions, most of which are subsidised,
- H. noting with concern that the EU and the USA intended to enter into a zero for zero agreement on white spirits, including rum, which will adversely affect the ACP trade with the EU,
- I. concerned that contrary to the provisions of Article 12 of the Lomé IV Convention, the ACP Group was neither informed nor consulted prior to the agreement with the USA despite the implication of the agreement for the ACP trade with the EU,
- 1. Calls on the Community and its Member States to:
  - i) honour the commitments entered into under Protocol 6 on rum in the Fourth Lomé Convention and allow a grace period of at least ten years to enable the ACP to fully develop their traditional trade flows with the EU;
  - ii) ensure that the interests of the ACP rum producing states are not adversely affected by any agreement with third countries and their competitive position is maintained in the market as per annexes XXIX and XXX of the Convention;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- iii) provide adequate resources to assist the ACP in the promotion and expansion of sales on the Community market in accordance with the provisions of Article 4 of Protocol 6 on rum;
2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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## RESOLUTION <sup>(1)</sup>

### on sugar

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - reaffirming its resolution on sugar adopted during the 23rd Session held in Luxembourg from 23 to 27 September 1996,
  - recalling the resolution adopted in this regard by the 64th Session of the ACP Council held in Brussels from 13 to 15 November 1996,
- A. stressing the importance to ACP signatory States of sugar exported to the EU under the Sugar Protocol and the Special Preferential Sugar (SPS) agreement and the contribution of their sugar industries to socio-economic development, the furtherance of democracy, good governance and political stability,
  - B. reiterating the ACP's commitment and ability to supply the EU raw cane sugar requirements under the terms and conditions of those agreements,
  - C. recalling the mutual benefit accruing to the contracting parties from these preferential trading agreements,
  - D. considering that the signatory States are rationalizing operations and have undertaken investment programmes to increase efficiency and competitiveness, optimise the use of by-products while ensuring compliance with environmental standards,
  - E. concerned that the EU's restrictive pricing policy has continued to adversely affect socio-economic development in the ACP sugar supplying States,
  - F. concerned also that there is still no commitment from the EU regarding assistance in alleviating the burden of the high cost of inland transport and ocean freight as well as the problems associated with inadequate off loading facilities at European ports of discharge,
  - G. noting with concern that sugar imported through the OCT has the potential of disrupting the delicate balance of the sugar regime and EU commitment in the WTO,
  - H. acknowledging that this matter should be treated separately from other ACP products imported through that channel,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

1. Calls on the European Union to:
  - i) acknowledge the importance of the sugar industries to the economies of the ACP States concerned and the contribution made to their socio-economic development;
  - ii) ensure that the price offered for ACP sugar takes fully into account the socio-economic factors including the efforts at rationalization as highlighted in the annual memorandum on economic factors;
  - iii) acknowledge that the ACP has demonstrated its ability to supply the EU's raw cane sugar requirements through the Protocol and Special Preferential Sugar Agreement and the mutual benefit derived therefrom by all the parties concerned;
  - iv) take appropriate action to assist the ACP in alleviating the burden of high transport costs and the inadequate off loading facilities at European ports of discharge as highlighted in the findings of the 1992 sugar transport cost study;
  - v) ensure that appropriate corrective measures are taken to prevent the importation of OCT sugar into the EU, while not affecting the ACP/OCT trade in other commodities;
2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the signatory states of the Lomé Convention.

#### RESOLUTION<sup>(1)</sup>

**on the action to be taken on the Third Conference of Parties to the Framework Convention on Climate Change (Kyoto, 1997)**

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. recalling the first Conference of Parties to the Framework Convention on Climate Change, held in Berlin from 28 March to 7 April 1995, at which the parties agreed to negotiate a protocol or other legal instrument for reduction objectives within specified time frames, such as 2005, 2010 and 2020, concerning emissions of greenhouse gases from Annex 1 countries to be ready for agreement by the Third Conference of Parties in December 1997 (Kyoto),
- B. in view of the Special Session of the UN General Assembly (June 1997) on Agenda 21,
- C. also recalling the proposals for a Protocol made by the Alliance of Small Island States (AOSIS) to have 1990 level CO<sub>2</sub> emissions reduced by 20 % in the year 2005, which the ACP-EU Joint Assembly supported in a resolution at its meeting in Dakar (January/February 1995),
- D. welcoming the efforts of the Dutch Presidency in advancing the climate change debate and considers the outcome of the March 1997 meeting of the Environmental Council of the European Union as a step in the right direction, but stresses that the Council conclusions are still inadequate because:
  - no reduction targets have been established for 2005
  - no specific reduction target has been set for CO<sub>2</sub> (a 'basket' approach was used)
  - HFCs, PFCs and SF<sub>6</sub> have been excluded

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



- the reduction targets are conditional on the adoption of legally binding policies and measures at Kyoto,
- E. noting that there is a considerable difference between this target and the AOSIS proposals, and that therefore the March 1997 Environmental Council conclusions must be seen as an absolute minimum,
- F. drawing attention to the special vulnerability to climate change of ACP countries in general and Small Island States in particular,
- 1. Calls on the Council and the Commission to take every possible step to get the 15 % reduction of 1990 level greenhouse gas emissions accepted by the signatories to the Framework Convention on Climate Change at the Third Conference of Parties in Kyoto (December 1997);
- 2. Urges the Council to acknowledge that this reduction is an absolute minimum and to strive for 20 % reduction of 1990 levels of CO<sub>2</sub> emissions by 2005;
- 3. Calls upon the Council to adopt the targets proposed as negotiating positions in the Climate Convention process as firm EU emission reduction commitments;
- 4. Urges the Member States of the European Union and the ACP countries to do everything possible at the UN General Assembly Special Session in June 1997 to ensure that the political Declaration resulting from the UNGASS meeting will emphasise the importance of achieving a binding Protocol with high emission reduction targets, clear time limits and measures to achieve these reduction targets at the Third Conference of Parties to the Framework Convention on Climate Change;
- 5. Calls on the Council to take concrete measures to achieve greenhouse gas reductions, including a CO<sub>2</sub> energy tax;
- 6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and to the Commission.

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#### RESOLUTION<sup>(1)</sup>

**on the integration of sustainable development in EU development cooperation with ACP countries**

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. in view of the UN General Assembly Special Session on Agenda 21 (Earth Summit II) in June 1997,
- B. recognizing that the targets set in Agenda 21 in Rio in 1992 have not been satisfactorily achieved and the agreed funds for sustainable development have not been allocated,
- C. recognizing that means for the integration of sustainable development in EU development cooperation are not addressed in the Green Paper on relations between the EU and the ACP countries on the eve of the 21st century,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- D. emphasizing the importance of sustainable development for ACP countries, especially in view of the ongoing depletion of their natural resources, and realizing the potential income for indigenous peoples,
  - E. recognizing the relationship between unequal access to natural resources and environmental degradation on the one hand and the outbreak of conflicts on the other,
  - F. recognizing that EU policies on the integration of sustainable development in development cooperation with ACP countries have not been implemented mainly due to insufficient capacity and expertise in the Commission and its delegations, as noted by the OECD Development Assistance Committee in its review of EU development cooperation (1995),
1. Calls on the European Commission and the signatories to the Lomé Convention to provide the structure and means for the actual integration of sustainability into EU development cooperation, particularly with ACP countries;
  2. Calls on the European Commission and the signatories to the Lomé Convention to provide specific funding under the EDF for sustainable development projects with partners in ACP countries;
  3. Calls on the Member States of the European Union to provide the means for a considerable increase in capacity and expertise on sustainable development within or in support of DG VIII of the Commission;
  4. Supports the process of developing a European Sustainable Development Initiative for practical measures to integrate sustainable development in development cooperation, with the involvement of all parties concerned;
  5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

#### RESOLUTION<sup>(1)</sup>

**on Protocol 10 on sustainable management of forest resources of the Fourth ACP-EU Convention of Lomé as revised by the agreement signed in Mauritius on 4 November 1995**

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to its previous resolutions on sustainable management of forest resources, in particular the ACP-EU resolution which was adopted in September 1996 (Luxembourg: ACP-EU 1825/96/fin.) and the parliamentary report on operations to promote tropical forests, which was adopted on 15 June 1995 (A4-0137/95),
- A. in view of the Special Session of the UN General Assembly (June 1997) on Agenda 21,
  - B. whereas the Protocol on Sustainable Management of Forest Resources of the Lomé Convention states that the European Community and the ACP States will concentrate their efforts on actions promoting sustainable management of forests allotted for the production of timber and that special priority will be given to community based and small scale forest operations,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- C. recognizing that logging activities in West and Central Africa are increasing rapidly and are beyond the monitoring capacity of many ACP country forestry departments,
  - D. recognizing the fact that community based forest projects which are carried by the local communities still hardly exist,
  - E. realizing that Asian and European companies which exploit and purchase timber from a large number of logging companies, are recently expanding into countries in West and Central Africa,
  - F. acknowledging that a number of these new incoming companies have a poor track record in sustainable forest management, especially in respecting local people's rights, both in their countries of origin as well as in other ACP countries,
  - G. realizing that commendable efforts to implement truly sustainable forest management, including the participation of local people, are currently made in the region,
  - H. acknowledging that the Forest Stewardship Council has developed universal criteria for environmentally appropriate, socially beneficial and economically viable management of the world's forests,
1. Calls on the signatories to the Lomé Convention and the European Commission to design definite plans for the implementation of paragraphs 3 and 4 of Protocol 10 of the Lomé Convention;
  2. Calls on the European Commission to thoroughly study again the possibilities of financial instruments in implementing a strong forestry strategy;
  3. Calls on the Member States of the European Union, the European Commission and the signatories to the Lomé Convention to step up their monitoring and control of European and Asian companies;
  4. Calls on the European Commission and the Member States to allocate more resources to community based, small scale forests operations and to sustainable development initiatives of African NGOs in the region;
  5. Calls on the European Commission and the Member States to financially support institution building in the forestry departments in the ACP countries with emphasis on capacity building to enable these departments to monitor the activities of forestry companies;
  6. Calls on the Member States of the European Union, the Commission and the signatories of the Lomé Convention to take measures to stimulate producers, manufacturers and consumers of timber to adhere to the principles developed by the Forest Stewardship Council, thereby creating an incentive for genuine sustainable forest management;
  7. Calls on the ACP states to thoroughly scrutinise logging companies applying for concessions or other forest-related activities in their countries;
  8. Urges the Member States of the European Union and the ACP countries to do everything possible at the UN General Assembly Special Session in June 1997 to ensure that the political Declaration resulting from the UNGASS meeting will demand binding and concrete plans for the implementation of Protocol 10 of the Lomé Convention;
  9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and to the Commission.

RESOLUTION<sup>(1)</sup>

## on hazardous waste

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. whereas the Basel Convention on the control of transboundary movements of hazardous waste and their disposal was adopted in 1989 as an international instrument to solve the global problem of hazardous waste generation and transboundary movements of such waste,
- B. whereas the Basel Convention entered into force in 1992 and currently has over 100 contracting parties,
- C. whereas, at the urging of the G-77, the EU Commission and other contracting parties of the Basel Convention, an amendment to the Convention prohibiting all exports of hazardous waste from OECD to non-OECD countries from January 1998, was adopted by consensus at the Third Conference of contracting parties in 1995,
- D. whereas many other legal instruments, including the Lomé IV Convention, the Bamako Convention for Africa, the Barcelona Convention, the Central American Agreement, and the Walgani Treaty for the South Pacific region, also prohibit transboundary movements of hazardous waste,
- E. having regard to the desire that all such instruments prohibiting hazardous waste exports from OECD to non-OECD countries be effectively implemented at the earliest opportunity,
- F. whereas the European Union has amended its legislation (EEC/259/93) to incorporate the Basel Convention ban on such hazardous waste trade,
- G. having regard to the fact that the amendment to the Basel Convention will need to be ratified by at least three quarters of the contracting parties which accepted it, in order for it to enter into legal force,
- H. stressing the importance of regional and international co-operation in adequately addressing hazardous waste, through inter alia, the expedient entry into force of the Basel Convention amendment,
  - 1. Calls on all ACP countries which have not yet done so, to take the necessary measures to accede to the Basel Convention as amended in 1995, as well as relevant regional treaties addressing hazardous waste, e.g., the Bamako Convention in Africa;
  - 2. Reaffirms the need to prohibit all hazardous waste exports from the OECD to non-OECD countries as an important measure toward solving the hazardous waste crisis;
  - 3. Applauds the consensus decision (decision III/1), adopted by the Third conference of Parties to the Basel Convention in 1995, to amend the Basel Convention to prohibit all hazardous waste exports from OECD to non-OECD countries as from 1 January 1998;
  - 4. Stresses that the Basel Convention amendment does not permit bilateral or multilateral agreements as exceptions to the prohibited trade in hazardous wastes;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

5. Opposes any weakening of the Basel amendment (and its rationale) through any other proposed exceptions which would have the effect of the allowing selected non-OECD countries to continue importing hazardous waste from OECD countries beyond the phase out date of 1 January 1998;
6. Calls on all ACP and European Union governments to take the necessary measures to ensure the amendment to the Basel Convention is ratified at the earliest opportunity with the view to its entry into force as soon as possible;
7. Urges all ACP and European Union governments, as well as all Basel Convention contracting parties to respect in good faith the amendment decision adopted by consensus to amend the Convention and to work actively for its effective implementation;
8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission and the Basel Convention Secretariat.

#### RESOLUTION <sup>(1)</sup>

on the special session of the United Nations General Assembly in June 1997 to review  
AGENDA 21

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to the resolutions of the Joint Assembly on the results of the Rio Conference of 1 October 1992 in relation to the environment and development as well as desertification,
  - having regard to its resolution on all small island States of the ACP — climatic change and the environment, adopted in Luxembourg on 26 September 1996,
- A. bearing in mind the Commission Communication on a common platform: guidelines for the European Union's preparation for the special session of the United Nations General Assembly in New York in June 1997 to review the AGENDA 21 and the connected results of the United Nations Conference on the environment and development (Rio 1992),
  - B. whereas AGENDA 21 has been only incompletely implemented even in the EU and ACP States,
  - C. whereas industrialized countries and developing countries have different priorities, which already found expression at the 1992 Rio Conference, i.e. environmental protection on the one hand and economic and social development on the other,
  - D. whereas spending by industrialized countries on financial cooperation with the countries of the South reached an historic low-point in 1995, fell by 14 % in real terms between 1992 and 1995 and still shows no sign of an upturn,
1. Welcomes the holding of the special session of the United Nations General Assembly in New York in June 1997 to review AGENDA 21 (UNGASS);
  2. Calls on the heads of State and government of the EU and ACP States to take part in the UNGASS to ensure the necessary public awareness of the issue of the environment and development;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

3. Hopes that the ACP and EU governments cooperate as extensively as possible in the context of the UNGASS, represent common positions and try to ensure that the Rio follow-up process is substantively and organizationally coordinated with other activities in the UN context;
4. Calls on the Commission and the governments of the European Union States and the ACP group to immediately develop and consistently implement programmes to promote sustained development;
5. Notes that the industrialized countries have still not fulfilled the obligations handed down in Rio as to financial support for developing countries and calls on the European Union to meet those obligations and to exert pressure on the other industrialized countries to likewise improve their financial support;
6. Urges the participants in the UNGASS to agree on a further review of the implementation of AGENDA 21 in five years in order to maintain the present dynamism;
7. Stresses the importance of the regional and local levels for the implementation of AGENDA 21 and calls for non-governmental organizations and other groups in civil society to be extensively involved in the Rio follow-up process;
8. Recognizes the greater inclusion in principle of environmental aspects in development cooperation, which also finds expression in Lomé IV, but regrets that it often does not go beyond declarations and lip-service, and calls for enhanced implementation of environmental elements and projects;
9. Instructs its Co-Presidents to forward this resolution to the Commission, the ACP-EU Council, the Secretary-General of the United Nations, the special session of the United Nations in June 1997 in New York to review AGENDA 21, the governments of the signatory States of the Lomé Convention.

## RESOLUTION <sup>(1)</sup>

### on orphan drugs

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to the resolution of the Council of Health Ministers of 30 November 1995 on orphan drugs,
  - having regard to the Orphan Drug Act,
- A. whereas transmissible diseases in the inter-tropical zone — parasitical, bacterial, mycotic and viral diseases — of which some 5 000 have been identified (80 % being of genetic origin), apart from HIV, which is directly responsible for 7,5 million deaths a year, affect almost 1,5 billion individuals and represent 71 % of the total death rate of countries in this area,
  - B. whereas the developing countries allocate no more than 4,2 % of their GDP to health, and the health sector accounts for 7 to 8 % of public development aid paid by the OECD countries, funds that are almost exclusively allocated to bridging the many gaps in medical care and organization,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



- C. whereas while the countries of the inter-tropical zone are continuing to benefit from the medical advances of the last forty years, the extensive growth of chemical resistance, gaps in the range of drugs available and the deterrent cost of new treatments are diminishing and eroding such advances and beginning adversely to affect the level of health in those countries,
- D. having regard to the growing difficulties and costs of developing new medicines,
- E. whereas 95 % of investment comes from the private sector,
- F. whereas 60 to 90 % of the populations and countries affected by these rare diseases (such as botulism, malaria, bilharzia, filariasis, African trypanosomiasis, Chagas' disease, leishmaniasis and leprosy) are seldom able to pay for treatment,
- G. whereas the treatment of common illnesses prevailing mainly in the inter-tropical zone is generally unavailable to 3 out of 4 sick people because of their lack of purchasing power and the absence of health protection schemes,
- H. whereas priorities in the OECD countries are geared towards controlling health expenditure in the 'profitable diseases' sector, cardiovascular disease, cancer and neuro-degenerative disease, which account for more than 95 % of therapeutic innovation over the last 15 years,
- I. whereas the Orphan Drug Act of 1983, which introduced the concept of orphan drugs, presents a largely positive record in the field of rare diseases, but the overall profile of regulatory provisions deriving from it is marked by the sole development of medicines for rare diseases to suit the social and economic context of the industrialized countries, and whereas a similar instrument should be put in place at European level that does not show the same deficiency,
- J. whereas the draft European Directive on orphan drugs proposed by the Commission does not include transmissible diseases in the inter-tropical zone in the scope of its definition,
- K. whereas the international agencies' (World Bank, WHO and UNDP) TDR programme (Special Programme for Research and Training in Tropical Diseases) has, since 1975, stressed the delays and needs as regards malaria, bilharzia, filariasis, leprosy, trypanosomiasis and leishmaniasis,
- L. whereas the Commission's Science and Technology for Development programme (CEC/STD) includes a component for 'scientific and technological development with the developing countries',
- M. concerned that the pharmaceutical industry is moving towards the industry's long-term disengagement from research into tropical transmissible diseases, although these account for the majority of deaths in the countries of that region,
- N. worried that progress in molecular medicine is taking practical form only on an experimental basis in the field of vaccination (for bilharziasis, leishmaniasis, malaria and trypanosomiasis) and only in a limited way in the field of treatment,
- O. having regard to the difficulties and rising costs of research and development — 1 to 2 billion francs for each new molecule,
- P. conscious of and concerned at the dispersion of scientific research teams and the fragmented nature of resources in the absence of an overall generic policy, in particular for the collection and dissemination of information, in both the research and the epidemiological field,
- Q. whereas the present epidemics — emergent and re-emergent infectious diseases — are an unfortunate sign of the precariousness of our prevention and treatment structures,

- R. whereas between now and the year 2000 not one further molecular innovation will be directly produced by the pharmaceutical industry in the field of tropical medicine, which means depending only on random discoveries, spin-off from veterinary research, the chance analysis of traditional pharmacopoeia or the reassessment of old medicines,
- S. whereas there is a more urgent need for activities to improve the practical circulation of medicines than for those affecting the primary supply,
1. Calls for the creation of a special programme for research and development in the field of tropical health, in the form of a task force;
  2. Suggests that the programme should be jointly administered by the Commission, an international committee of experts and representatives of the WHO, and the pharmaceutical industry;
  3. Wishes this programme to permit the management of a pharmaceutical and clinical database and to be responsible for setting up clinical trials and monitoring them through peripheral establishments, institutes and reference university hospitals in the developing countries;
  4. Calls for the Commission to encourage the creation of joint ventures (between industry, universities and/or scientific academies) with the aim of setting up partnership networks;
  5. Calls for the creation of a special marketing approval certificate for medicines for tropical diseases;
  6. Recommends speeding up the establishment, in collaboration with the WHO and the United States-European Union Task Force, of a monitoring and early warning network for transmissible diseases in the inter-tropical zone and resistance to drugs to combat infections;
  7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the World Health Organization.

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## RESOLUTION<sup>(1)</sup>

### on fake medicines

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. alarmed at the fact that a criminal traffic in counterfeit medicines is thriving with complete impunity, threatening the health and, in some cases, the lives of populations in developing countries,
- B. whereas, according to the World Health Organization, the counterfeiting of pharmaceutical products is a rapidly expanding sector, especially in countries on the African continent,
- C. whereas the African continent is seriously affected by this serious problem, in particular because industrial property is insufficiently protected there,
- D. whereas, as a result of the devaluation of the CFA franc and the structural adjustment programmes to which those African countries are subject, the price of medicines has become prohibitive for the majority of the population, which has, as a result, turned to parallel markets,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- E. whereas some counterfeit medicines contain toxic products posing a threat to the lives of patients,
- F. whereas in 1990, for instance, more than 100 children died in Nigeria after taking a cough mixture which actually contained an industrial solvent, similar incidents took place shortly afterwards in Bangladesh, India and Haiti and, in 1995, an NGO alleged that it had found stocks of fake vaccines against meningitis in Niger,
- G. whereas certain African and western countries harbour illegal laboratories manufacturing such fake medicines or served as countries of transit for medicines produced in other countries,
- H. whereas this problem is, in fact, widespread in all countries which have not yet adopted a pharmaceutical regulation system based on reliable quality controls and whereas the traffic is encouraged by the difficulties or ineffectiveness of customs controls,
1. Strongly condemns the manufacturers and distributors of such fake medicines, who are jeopardizing the lives of millions of people in developing countries;
  2. Calls on the Commission to assist states in developing quality control procedures, improving test laboratories and equipping themselves with pharmaceutical rules applicable to production, marketing and distribution of medicines;
  3. Calls on the Commission, in cooperation with the WHO and with NGOs, to implement information and prevention programmes, raising awareness among the general public and specialized personnel of the dangers involved in consumption of such fake medicines;
  4. Calls on NGOs to step up their cooperation at local level with health authorities in the countries concerned and at international level with the World Health Organization;
  5. Calls on manufacturers of pharmaceutical products to comply with international rules on good manufacturing practices and on distributors to check the reliability of their suppliers;
  6. Considers that the most effective way of combating the dissemination of counterfeit products in developing countries is to ensure that hospitals, clinics and pharmacies are supplied with generic medicines which may cost up to ten times less than comparable patent medicines;
  7. Instructs its Co-Presidents to forward this resolution to the Commission, the Council, the Member States, the World Health Organization and the ACP countries.
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RESOLUTION<sup>(1)</sup>

**on the international conference in Abidjan on transmissible sexual diseases and Aids in Africa**

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - referring to Chapter III of the revised Fourth Lomé Convention, and more particularly Articles 152 to 155 thereof,
  - having regard to the resolution on the anti-Aids programme under Lomé IV adopted in May 1992 at the 54th ACP-EU Council meeting in Kingston,
  - having regard to its resolution adopted in Windhoek on 22 March 1996 and the European Parliament's resolution of 15 November 1995 on Aids in the Third World,
- A. whereas the world conference on Aids at Vancouver, Canada in July 1996 announced considerable progress in the fight against the disease, not only in research but also in the form of new treatments, and this progress has been confirmed by the decline in the death rate in some western countries,
  - B. regretting, however, that the conference was largely geared to western interests and that neither the scientific community nor the pharmaceutical industry took account of the epidemiological, socio-economic or financial criteria of the Third World countries, where, nevertheless, most of the contaminated people are concentrated and where the epidemic is continuing its inexorable progress,
  - C. repeating the appeal to political and economic circles by President Mandela at the Davos Summit to come to the aid of peoples which 'after bearing the burden of colonialism are now having to bear the burden of the Aids epidemic',
  - D. alarmed at the fact that in addition to poverty, malnutrition, the absence of elementary hygiene and the precariousness of life sub-Saharan Africa is now facing the disastrous effects of armed conflicts and massive displacement of populations, and that these factors are making the poorest people still more vulnerable to epidemics and opportunist infections such as tuberculosis,
1. Welcomes the forthcoming international conference in Abidjan on Aids in Africa, geared to a specific approach in the African context, and calls on the Commission and Council to support the conference by all appropriate means, and to take account in their development policy and in the implementation of the Lomé Convention of the recommendations which the conference makes;
  2. Appeals to research scientists and the pharmaceutical industry to ensure that their endeavours are concentrated on developing a vaccine or treatments applicable to the poorest populations throughout the world;
  3. Wishes the new financial programme and the regional programmes to take account of the social and economic impact of Aids and to encourage real cooperation at regional and international level by all political, economic and financial operators;
  4. Pays tribute to the solidarity shown by the African families and communities affected by this menace, emphasizes the particularly courageous role of women but points out that survival strategies inevitably work to the detriment of future generations: children, mainly girls, being deprived of education, teenage pregnancies, children living precariously in an urban environment, the flight from the land and the disruption of the social fabric, the abandonment of farming etc.;
  5. Notes that there is an urgent need to improve the school systems by adding nutritional, health and medical programmes for young people, taking particular care to ensure that girls are kept in the education system;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

6. Emphasizes that priority must be given to programmes encouraging economic activities by women so that they can support their families;
7. Wishes traditional and religious leaders to guide people towards practices compatible with an Aids prevention policy and cooperate with the authorities to adapt customs and law to the situation created by the epidemic, with the aim of providing protection and income to the children or surviving spouse;
8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the organizers of the international conference on Aids in Africa.

# RESOLUTION <sup>(1)</sup>

## on the eradication of poliomyelitis in Africa

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. having regard to Articles 1 and 5.1 of the Fourth Lomé Convention as amended, relating to the objectives and principles on which cooperation between the ACP States and the European Union is based,
- B. whereas in May 1988 the 41st World Health Assembly committed itself to the total eradication of poliomyelitis by the year 2000,
- C. having regard to Resolution AFR/RCR5 1995 of the WHO Regional Committee for Africa, as a strategy, which unanimously agreed that the eradication of poliomyelitis in Africa and the creation of National Days for Vaccination constituted an adequate strategy for attaining that objective by the year 2000,
- D. having taken due account of the Yaoundé Declaration for a poliomyelitis-free Africa, as adopted by the OAU Heads of State and Government at their 32nd ordinary session held at Yaoundé, Cameroon from 8 to 10 July 1997,
- E. having regard to the progress so far achieved world-wide with the eradication of this scourge in 150 countries,
- F. reaffirming the Action Plan for the implementation of the World Declaration on the Survival, Protection and Development of the Child in the Nineties, adopted by the World Summit on the Child held in September 1990 in New York,
- G. appreciating the true value of the African strategy in accordance with which a high-level committee presided over by President Nelson Mandela has been entrusted with the task of promoting social mobilization in the different countries of that continent and of seeking financial support from development partners,
- H. noting the efforts already made by the European Community to support the development of health services in general and vaccination in particular,
- I. stressing that the financial requirements for eradicating poliomyelitis are of limited duration,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

1. Notes with appreciation the ACP States' communication relating to a campaign for the eradication of poliomyelitis in Africa;
2. Fully supports the implementation of strategies devised and adopted by Africa relating to the organization of a National Day for Vaccination;
3. Welcomes the efforts already made by the WHO, UNICEF, Rotary International and other sources of financing to enable Africa to resolutely embark on the programme for the eradication of poliomyelitis;
4. Expresses its appreciation and support to President Nelson Mandela for his unstinting efforts to help create in Africa the conditions for promoting sustainable development;
5. Calls on the international community to lend its support to the programme for the eradication of poliomyelitis in Africa;
6. Urges the European Union to play a leading and coordinating role to encourage and support the countries, in particular those on the African continent, fighting to eradicate this scourge;
7. Requests the European Commission to contribute to the implementation of action programmes supported by African countries, by providing the necessary resources in the framework of the regional programme provided for under the Fourth Lomé Convention;
8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

# RESOLUTION<sup>(1)</sup>

## on conflict prevention in Africa

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- having regard to its previous resolutions, in particular those adopted in Dakar, Libreville and Brussels,
- A. having regard to the number, intensity and duration of conflicts in Africa; recalling, in particular, the tension prevailing in Burundi, Angola, Rwanda and many other regions,
- B. whereas most of these conflicts are civil wars or inter-ethnic conflicts taking place within States and are generally the result of disastrous economic situations and/or the governments' disregard for human rights,
- C. having regard to the vast flow of refugees between African States and of displaced persons around the world (8,5 million in 1996),
- D. whereas too often the appeals made by populations, NGOs and governments to the major political decision-making bodies at international level remain unanswered, as shown once again by the tragic problem of refugees in Zaire,
- E. concerned at the fact that the increasing volume and cost of humanitarian actions is causing international organizations more and more financial problems and that every possible step should therefore be taken upstream to halt the escalation of potential conflicts and crises,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



- F. convinced that the international community has the human, communication and financial resources to implement strategies aimed at foreseeing and preventing conflicts; convinced also that, although the necessary legal resources are still lacking, their availability is entirely dependent on political will,
- G. whereas the 1963 OAU Charter seeks to promote unity and solidarity between African States, and the coordination and intensification of their cooperation in order to improve the lives of their peoples,
- H. recalling that, in line with this policy, the OAU set up a mechanism in June 1993 for the prevention, management and resolution of conflicts, and stressing that special importance was to be given to the field of prevention,
- I. recalling the OAU resolutions which were adopted in Tunis and Addis Ababa, giving official recognition to the need for African forces responsible for conflict prevention, and the Agenda for Action adopted in Cairo in March 1995, in which the OAU stated its intention to set up a conflict prevention body, and whereas the Heads of State and of Government meeting on that occasion recognized that, without democracy and peace, no development was possible,
1. Reiterates its repeated calls for the setting up of international political cooperation structures endowed with sufficient and effective resources to enable them to prevent conflicts, initially by introducing mediation procedures;
  2. Supports the OAU's recommendations to its member states, in particular to set up or designate contingents in their armies to follow specialized training in the field of conflict prevention and peacekeeping operations, and calls for a report on actions initiated or completed;
  3. Recalls its requests and those of many public and private international forums for humanitarian law to be incorporated or codified in international texts and for the setting-up not only of an early warning system but also of improved information on humanitarian actions;
  4. Calls for conflict prevention measures to be an integral part of development aid and calls on the Commission to put forward proposals to this effect;
  5. Recalls its wish to see the forthcoming Intergovernmental Conference lay the foundations and establish the means of action for a genuine EU Common Foreign and Security Policy;
  6. Urges the Council and the Commission, in cooperation with the OAU and the other major international organizations, to maintain and support the holding of conferences or meetings of working groups and research bodies with a view to examining global problems, in particular in the region of the Great Lakes and other regions of Africa in which conflicts are likely to arise;
  7. Calls on the Council to consider the possibility of setting up a European corps, comprising civilian and military units in cooperation with the WEU, to carry out peacekeeping and peace restoration operations wherever necessary;
  8. Calls also for the establishment of a European civil corps to strengthen humanitarian action, promote the peaceful settlement of crises, prevent crises by encouraging the parties, populations or opposing groups to engage in confidence-building and reciprocity measures;
  9. Reaffirms its attachment to the establishment of a European Analysis Centre for the Prevention of Crises and stresses the need for the Centre to collaborate with and provide assistance for the OAU's mechanism for the prevention, management and resolution of conflicts and the importance of setting up a Permanent International Criminal Court;
  10. Calls on all international forums to give special consideration to refugees and displaced persons;
  11. Considers it essential to guarantee strict and sustained monitoring of situations in countries, such as Angola, inter alia, in which a peace agreement has been reached;

12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN Security Council, the OAU and the WEU.

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## RESOLUTION <sup>(1)</sup>

### on anti-personnel mines

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- having regard to its previous resolutions on anti-personnel mines,
- having regard to the joint actions of the Council on anti-personnel mines, notably those of 12 May 1995 and 1 October 1996,
- A. whereas the menace of anti-personnel mines affects a number of ACP countries, jeopardizing any prospect of sustained development for the populations in the affected areas,
- B. drawing attention therefore to the crucial importance of the mine removal effort agreed by the international community and particularly the European Union,
- C. calling to mind the disappointing conclusion of the conference to review the UN Convention of certain conventional weapons, and notably Protocol II on anti-personnel mines,
- D. having regard to the outcome of the Ottawa Conference held on 3, 4 and 5 October 1996 on the issue of anti-personnel mines, and the follow-up programme agreed on that occasion,
  1. Welcomes the Ottawa Declaration for an international and legally binding agreement on a total and general ban on anti-personnel mines, and supports any diplomatic initiative to bring about that aim;
  2. Requests the ACP States and the Member States of the Union to promote in all international fora, and particularly within the Geneva Conference on disarmament, a total ban on antipersonnel mines;
  3. Deplores the fact that the funds allocated by the European Union to mine removal operations and mine removal training have been substantially reduced in 1997 and urges the European authorities to restore the Union's financial contribution to a level commensurate with the challenges facing the developing countries in the shape of mine removal, rehabilitation and reintegration of the victims;
  4. Calls on the Commission of the European Communities not to fund projects and programmes submitted by European undertakings which manufacture anti-personnel mines;
  5. Wishes the Union's research activities on mine removal to be guided towards mechanical techniques permitting faster removal of laid mines in improved safety conditions;
  6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the UN Secretary General.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

RESOLUTION<sup>(1)</sup>

## on ACP-EU trade relations

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. recalling the high priority accorded to the development of trade as a means of accelerating the growth of ACP economies and for their harmonious and gradual integration into the world economy in the Lomé IV Convention as revised by the agreement signed in Mauritius on 4 November 1995, and in particular the recognition by the Contracting Parties of the fundamental importance of trade in energizing the development process in ACP countries,
  - B. recognizing the bold and far-reaching macro economic reforms undertaken by many ACP countries which have resulted in tariff reduction in step with WTO principles and the removal of import restrictions, liberalization of the financial sector including the removal of exchange controls, the creation of an attractive and secure investment climate and the privatization of major state enterprises,
  - C. recognizing also the concerted effort of ACP countries to boost their exports and to diversify their export base,
  - D. emphasizing the need for these vigorous, determined and painful initiatives on the part of ACP countries to be met with appropriate supportive responses by their EU partners, in the form of policies which give concrete encouragement and effective support to them in the context of a secure, reliable and predictable trading environment,
  - E. noting in this regard the important role of appropriate foreign direct investment, joint venture partnerships and investment for on-lending in support of, for example, the development of SMEs,
  - F. concerned that despite their efforts and achievements in restructuring their economies, ACP countries still do not attract adequate levels of investment, particularly from the EU,
  - G. emphasizing the continued value and importance of the preferential access arrangements enjoyed by the ACP countries, and recognizing that so far these have tended to be utilised for the export of commodities rather than of manufactured goods,
  - H. noting that preferential access arrangements contribute to socio-economic development as well as the creation of a stable and predictable environment essential for investment and enhancing competitiveness,
  - I. recognizing the need and importance to give support to ACP economies confronted with new competition as a result of the globalization and liberalization of the international economy,
  - J. noting with concern in this regard, that despite the liberalization efforts of the developing countries and the principle of special and differential treatment for developing countries, as a permanent legal feature of the world trading system, industrialized countries have failed so far to honour commitments enshrined in the WTO agreements and are continuing to promote Free Trade Areas as a means of accelerating the economic development of developing countries,
1. Affirms the continuing value and relevance of the Lomé arrangements, including their trade and investment support mechanisms and the need to preserve and enhance them;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

2. Calls on the Community and its Member States to reaffirm the principle of preferential treatment underpinning ACP-EU cooperation;
3. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission and the signatories to the Lomé Convention.

### RESOLUTION <sup>(1)</sup>

**on the creation and budgetary funding of the Secretariat for the chambers of commerce of the ACP countries in the Canary Islands, Spain**

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to the Treaty of Maastricht, and especially Title XVII thereof,
  - having regard to the Fourth ACP-EU Lomé Convention revised by the protocol of Mauritius of 4 November 1995, and particularly Articles 6, 15(a), 110, 111, 136 and 220(p),
  - having regard to the resolution of the extraordinary session of the ACP Council of Ministers <sup>(2)</sup>, held in Montego Bay (Jamaica) from 7 to 10 July 1980, on the creation of a Federation of ACP Chambers of Commerce,
  - having regard to the resolution adopted by the ACP-EU Joint Assembly on fair and responsible trade, <sup>(3)</sup>,
  - drawing attention to the provisions of the declaration and action programme of Suva <sup>(4)</sup>,
- A. having regard to the debate on future relations between the ACP and the European Union, launched by the Declaration of Mauritius on the holding of a Summit of ACP Heads of State and Government and, the presentation of the Green Paper and to subsequent developments,
  - B. having regard to the role that may be played by the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators, representing the private sector in those countries, and to the search for greater efficiency from the Community cooperation policy and by reinvigorating their economies,
  - C. whereas account should be taken of the private sector as a factor for economic revival and whereas it is expected to play an important role in creating the conditions needed to bring about peaceful transition and economic and social development, as well as in the development of trade and the training of human resources in the ACP States,
  - D. whereas the development of the ACP States must always be the prime objective of European Union policy,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

<sup>(2)</sup> Resolution No 3 of the extraordinary session of the ACP Council of Ministers, held in Montego Bay (Jamaica) from 7 to 8 July 1980.

<sup>(3)</sup> Luxembourg, 26 September 1996 (ACP-EU 1823/96/fin.).

<sup>(4)</sup> ACP Council of Ministers, Suva (Fiji), 14 April 1977.

- E. whereas the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators, formally constituted at the meeting in the Canary Islands, Spain of 7 to 11 October 1996, will contribute to the growth of exchange of experience between the ACP States and will improve the efficiency of the market between the ACP countries and other regions of the world,
- F. whereas the private sector needs to be boosted and to play a much more important part than it has hitherto in implementing the ACP-EU Convention of Lomé,
- G. whereas the private sector is one of the motors of regional integration and whereas it should be involved in the work of the regional organizations,
- H. whereas the ACP-EU Joint Assembly favours diversifying the partners engaged in its cooperation,
- I. whereas the consequences of the GATT Uruguay Round will have an impact on the preferences of the ACP States and whereas the liberalization of world trade is bound to require the existence of a body organized by the private sector in the ACP States in order to face up to this challenge,
- J. whereas in most of the ACP States there is a large informal sector of the economy which should gradually be integrated into the formal sector and whereas the private sector will contribute to this gradual process,
- K. whereas in virtually all the ACP States economic development cannot be promoted unless there is an organized private sector enabling resources to be obtained to enable their economies to diversify,
- L. whereas it should be regarded as a positive advance to be able to assess the results of the Convention in a calm atmosphere, with the aim of removing the obstacles to development and making the necessary corrections to secure a future relationship of benefit to both sides,
- M. whereas there is a need for cooperation to be designed to create lasting endogenous development in the ACP States and a proper economic structure to generate wealth and employment,
1. Welcomes the recent constitution at the general meeting held in the remote region of the Canary Islands of the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators, with the hope that the Federation will be able to provide an impetus for the private sector in those countries and promote their integration into the world economy;
  2. Draws attention to the important function which the Federation is called upon to perform in coordinating and exchanging experience and information between the various private sectors of the ACP States;
  3. Points out that the absence of an appropriate organization for the private sector of the ACP States has proved a serious handicap to obtaining progress and more efficient results in the context of intra-ACP and ACP-EU trade cooperation;
  4. Highlights the need to encourage consolidation in an organized private sector that is capable of becoming a useful partner for the implementation of regional and inter-regional cooperation programmes to assist and expand the production capacity of the ACP States;
  5. Expressly underlines the need to involve the private sector to improve exploitation of the ACP-EU Convention of Lomé;
  6. Urges the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators to work closely with the ACP Secretariat and vice-versa, with the CID, and with the Commission to promote as effectively as possible the objectives laid down in the fourth Lomé Convention;

7. Notes with interest that the seat of the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators has been established in the Canary Islands, a peripheral region of the European Union;
8. Appreciates the assistance provided by the Government of the Canaries and the facilities made available to the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators;
9. Calls on the Commission to provide maximum support for the ACP Federation of National Chambers of Commerce, Industry and Other Economic operators, and for that support to take the form of a financial allocation to ensure that maximum priority is given to the commercial development of the ACP States and that at the same time it helps to pursue the objectives as defined;
10. Calls for the European Parliament to allocate funds to help improve the promotion of the Federation and its services to ACP and European economic operators;
11. Instructs its President to forward this resolution to the ACP-EU Council of Ministers, the Commission, the CID, the Economic and Social Committee, and the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators.

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#### RESOLUTION<sup>(1)</sup>

on the implementation by the Commission of the ACP-EU Joint Assembly's resolution on infrastructure and ACP-EU cooperation

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - whereas the ACP Assembly unanimously adopted a resolution and report (ACP-EU 1494) on the aspect of infrastructure and ACP-EU cooperation,
  - whereas the Commission agreed to report two years later on the way in which the recommendation and resolution would be implemented in the various programmes under the auspices of ACP-EU cooperation,
1. Calls on the Commission duly to submit the report to the next ACP-EU Assembly, so that the Assembly can assess and consider the implementation of its resolution;
  2. Instructs its Co-President to forward this resolution to the ACP-EU Council and the Commission.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



RESOLUTION<sup>(1)</sup>

## on the employment of children

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- having regard to the ILO conventions on the employment of children, including Convention 138 of 1973 on the minimum age,
- A. welcoming the work carried out jointly by the ILO and UNICEF to coordinate their policies and practices,
- B. whereas about 250 million children aged 5 to 14 are at present working in the developing countries, 120 million of them full-time and 130 million part-time, and whereas about 73 million children aged 10 to 14 are working full-time in about a hundred countries,
- C. whereas in the developing countries about 61 % of such children (almost 153 million) live in Asia, 32 % (80 million) in Africa and 7 % (17,5 million) in Latin America,
- D. whereas there is a need to denounce and eradicate certain forms of employment, living conditions, forced labour and slavery which cannot be tolerated and yet to which such children are subjected,
- E. whereas physical and mental trauma is caused by such arduous and unfair living conditions,
- F. condemning every form of exploitation and the dangers facing these children in their millions: slavery and forced labour in agriculture, mining, factories and craft trades, fisheries, domestic work, the building industry, prostitution and trafficking in young boys and girls,
- G. concerned at the spread and expansion of the sex trade in Asia, Latin America and Africa,
  - 1. Supports the action of the ILO and UNICEF;
  - 2. Urges all the signatory countries of the Lomé Convention to eradicate all forms of bonded labour, slavery, paedophilia and trafficking in and forced employment of children;
  - 3. Wishes to see the adoption of new conventions to make it possible to work more directly and effectively for the abolition of the most unacceptable and dangerous forms of child labour, such as slavery, bonded labour, forced labour and serfdom;
  - 4. Calls on the member states of the Lomé Convention to ratify all the present conventions and recommendations;
  - 5. Underlines the need to monitor compliance with the ratification of such texts;
  - 6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the UN Secretary General.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

RESOLUTION<sup>(1)</sup>

## on the abolition of the death penalty

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to its previous resolutions on the abolition of the death penalty and in particular the resolution adopted on 26 September 1996, calling for the abolition of the death penalty in all the signatory States of the Lomé Convention,
  - having regard to the European Parliament resolution of 17 May 1995, affirming that an article on prohibition of the death penalty should be incorporated in the Treaty on European Union, and that of 20 February 1997 calling on all the Member States to support a resolution on a worldwide moratorium on exceptions at the 1997 session of the United Nations Commission on Human Rights,
  - having regard to the last report of the United Nations on the death penalty (E/CN.15/1996/19) that confirms the abolitionist trend among its member states,
- A. whereas recourse to the death penalty has been proliferating throughout the world during the last few years,
  - B. welcoming the complete abolition of the death penalty in Italy, Spain, Belgium, Moldova and Macedonia in 1995 and 1996,
  - C. welcoming the fact that, during the last two years, important international organisations such as the Council of Europe, the European Parliament, the Latin American parliament and the ACP-EU Joint Assembly have approved resolutions for a worldwide moratorium on executions as a first step towards the abolition of the death penalty,
  - D. noting with satisfaction that Italy has proposed to the Intergovernmental Conference introducing a new provision banning the death penalty when the Maastricht Treaty is revised,
1. Reaffirms its absolute opposition to the death penalty;
  2. Calls on all the signatory states of the ACP-EU Convention which have not yet abolished capital punishment to do so as a matter of urgency;
  3. Calls on all the Member States of the European Union and the ACP to promote the adoption of a resolution on a universal moratorium on executions at the 1997 UN General Assembly, as a first step towards abolishing the death penalty for all crimes by the year 2000;
  4. Believes that in all negotiations on Partnership and Cooperation Agreements, as well as in the negotiations for the next Lomé Convention, the abolition of the death penalty must be a priority;
  5. Asks the Commission to pay special attention to the death penalty in its annual reports on human rights clauses in EU agreements with third countries and in its reports on the implementation of the Lomé Convention;
  6. Repeats its call to the Intergovernmental Conference to incorporate prohibition of capital punishment in the new EU Treaty;
  7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, to the Secretary-General of the Council of Europe, the President of its Parliamentary Assembly, the Secretary-General of the UN and the President of its General Assembly.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

RESOLUTION<sup>(1)</sup>

## on the importance of the UN World Conferences of 1990 to 1996 for cooperation between the European Union and the ACP States in the context of the Lomé Convention

*The ACP-EU Joint Assembly,*

- meeting in Lomé from 27 to 31 October 1997,
- having regard to the general report on the importance of the UN World Conferences of 1990 to 1996 for cooperation between the European Union and the ACP States in the context of the Lomé Convention (ACP-EU/2197/97/A/fin.),
- having regard to its resolution of 22 March 1990 on the World Conference on compulsory schooling for all (Jomtien/Thailand),
- having regard to the resolution of 20 February 1992 on the consequences for the ACP-EU States of the UN Conference on the environment and development,
- having regard to the resolutions of 1 October 1992 on the results of the Rio Conference and on the environment and development,
- having regard to the resolution of 2 February 1995 on the results of the International Conference on population and development held in Cairo,
- having regard to the resolutions of 2 February 1995 on the World Summit on social development in Copenhagen (March 1995),
- having regard to the resolution of 28 September 1995 on the results of the social summit held in Copenhagen,
- having regard to the resolution of 1 April 1993 on the contribution of the ACP-EU Joint Assembly to the United Nations World Conference on Women,
- having regard to the resolutions of 2 February and 28 September 1995 on the Fourth World Conference on Women held in Beijing,
- having regard to the resolution of 20 March 1996 on the actions to be taken in respect of the platform of the UN World Conference on Women (Beijing, September 1995),
- having regard to its resolutions of 22 March 1990 on the protection of the tropical rainforests and the environment,
- having regard to its resolutions of 28 February 1991, 20 February 1992 and 2 February 1995 on the debt burden of ACP States and on the connection between development, indebtedness, poverty and disarmament of 20 February 1992,
- having regard to its resolutions of 1 October 1992 and 2 February 1995 on desert encroachment,
- having regard to its resolution of 1 October 1992 on the greenhouse effect,
- having regard to its resolution of 30 March 1993 on democracy, human rights and development in the ACP States,
- having regard to its resolution of 17 February 1994 on sustainable development,
- having regard to the resolution of 2 February 1995 on the first conference of the signatories to the framework convention on climatic change (Berlin, 28 March to 7 April 1995),
- having regard to the resolution of 28 September 1995 on ACP-EU cooperation in the field of the infrastructure,
- having regard to its resolution of 20 March 1996 on industrial development in the ACP countries,
- having regard to the resolution of 20 March 1996 on the specific role of women in development cooperation and on the trade in women,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 29 October 1997 in Lomé (Togo).

- having regard to its resolutions of 28 September 1995 and 20 March and 26 September 1996 on the small island states of the ACP — climatic change and the environment,
  - having regard to its resolution of 20 March 1997 on urban development in the ACP countries,
- A. having regard to the results of the World Conference on Education for All held in Jomtien/Thailand and the World Summit on Children held in New York in 1990,
- having regard to the objective of creating the basic preconditions for the education of everyone by the Year 2000, which should allow 80 % of all children to enjoy primary education,
  - having regard to the continuing disadvantages suffered by women and girls as regards access to education in the ACP countries,
  - having regard to the fact that the survival of millions of children is jeopardized by hunger, disease, violent conflict, social exclusion and environmental disaster and that, even in the 1990s, over one million children are still dying of easily preventable diseases each month and whereas the World Summit on Children formulated standards for a fundamental improvement in the living conditions of children which have, however, only been implemented to a limited degree,
- B. having regard to the results of the UN Conference for the Environment and Development held in Rio in 1992, and in particular the Agenda 21 adopted at this conference and the declaration on the principles of the environment and development, the UN framework convention on climatic change, the statement of principles on forests and the convention on the preservation of the diversity of species and also the first follow-up conference on sustainable development among the small developing island states held in Barbados in 1994,
- whereas the most important sectoral and supra-sectoral areas for development cooperation have been set out in Agenda 21, and those include notably selfhelp oriented measures to address poverty, education, family planning and the protection of the environment, resources and the promotion of tropical forests,
  - having regard to the progressive ecological burden on ACP and EU States which is increasing in the ACP States, inter alia, owing to the continuing population growth and the strain this imposes on the environment and on infrastructures,
  - having regard to the signature by the EU and the ACP countries of the Convention on Biodiversity; whereas most of the planet's biodiversity is concentrated in the countries of the South, especially the ACP countries,
  - having regard to the hole in the ozone layer which is becoming larger by the year and which poses an increasing threat to both the local population and nature in the southern and northern regions of the world,
  - having regard to the phenomenon of global warming which is changing the climate, promoting desert encroachment, causing the sea level to rise and triggering natural disasters in various parts of the world,
  - having regard to the specific situation of island states whose very existence is threatened by global warming,
- C. having regard to the results of the Human Rights Conference held in Vienna in 1993, and in particular the adoption of the principle of the universality of human rights and the principle that women's rights are human rights,
- stressing the principle that restrictions on individual freedoms cannot be justified by the demands made by the development process,
  - recognizing that citizens have rights, as well as duties, vis-a-vis their community and state,
  - endorsing the principle that the right to development is also a human right,
  - expecting that ethnic, religious, cultural, traditional, gender-specific and political differences will not be used as a pretext for repression and discrimination,

- having regard to the continuing massive human rights violations and the absence of democratization in certain ACP States,
- D. having regard to the results of the Conference on Population and Development held in Cairo in 1994, and in particular the action programme which provides a new basis for international cooperation in the field of population and development,
- recognizing that sustainable development is only possible if the population growth slows down,
  - noting the above-average mother and child mortality in a large number of ACP countries,
  - alarmed at the inadequate health care provided for pregnant women and babies and overwhelming problems connected with reproductive health,
  - having regard to the totally inadequate birth and family planning facilities in a large number of ACP countries,
- E. with regard to the millions of women in ACP States who would use contraceptives if information and services were widely available,
- F. having regard to the results of the World Summit for Social Development held in Copenhagen in 1995 and the follow-up meeting of 1996 held in Oslo, and in particular the emphasis placed on the fight against poverty as a focus for all development efforts, the 20:20 initiative and the definition of basic social services,
- endorsing the definition agreed on in Oslo that basic social services include elementary education, basic health services — including reproductive health and birth and family planning — security of food and drinking water supplies, sewage disposal and the creation of the necessary institutional facilities to achieve this objective, and that they thus constitute the yardstick for measuring social development,
  - recognizing the essential role played by women in all the above-mentioned areas and the need to strengthen their possibility for playing this role fully,
  - alarmed at the poor standard of these basic services in a number of ACP countries and the concomitant level of poverty obtaining there,
  - having regard to the burden of debt borne by ACP countries which hinders development,
  - having regard to the dramatic consequences of corruption on the economic and political situation in ACP countries,
- G. having regard to the results of the World Conference on Women held in Beijing in 1995, and in particular the recognition of the concept of sexual self-determination,
- recognizing the negotiating successes achieved in Beijing through the support of delegations from the ACP countries, and notably from Africa,
  - aware of the importance which the implementation of the Beijing action platform also assumes for the ACP countries,
  - acknowledging that without the equal participation of women in the development process and without the strengthening of women's rights no progress can be made in development,
  - concerned, however, at the extent to which women are disadvantaged in society, the family, the economy and in political life,
  - concerned at the extent of violence against women and the restrictions on sexual self-determination and the widespread practice of genital mutilation,
  - acknowledging the importance of the economic contribution by women — especially in the informal sector,

- H. having regard to the results of the Habitat II Conference held in Istanbul in 1996, and in particular the principle of sustainable urban development and the right to adequate housing as a human right,
- awaiting the implementation of the Habitat Agenda with its global action plan and the Istanbul Declaration on human settlements,
  - recognizing specifically the particular role played by towns and municipalities and the principles of communal self administration in successful urban development policies,
  - convinced that the independent participation of municipal and regional authorities can make an important contribution towards the positive development of civil society,
- I. having regard to the results of the World Summit on Combating Hunger held in Rome in 1996, and above all the action plan which is intended to help halve the number of starving people in the world — which is currently set at 840 million — by the year 2015,
- aware that a stable political, economic and social climate is also conducive to safety of food supplies,
  - aware that existing food production could prevent hunger and malnutrition in the world, but that owing to the uneven distribution of resources there exists a grotesque imbalance between superfluity and scarcity,
  - aware that the absence of development strategies for rural areas means that food supplies are inadequate, as regards both the quantity and nutritional quality of the food produced,
  - acknowledging the important role played by women in agriculture and as providers of food,
- J. having regard to the right of communities to a healthy and sufficient diet, which must be guaranteed via policies to encourage self-sufficiency in food on the basis of production aimed primarily at the local and regional markets;

#### General demands

1. The Joint Assembly calls on the governments of ACP and EU States, the Commission and the Council of Ministers carefully to examine the results of the UN World Conferences and to orient their policies according to the demands set out therein; in particular efforts should be made to implement the demands made in the action programmes and platforms in ACP-EU cooperation and the necessary resources should also be made available for this purpose.
2. It calls for a policy to secure the future of the globe and the establishment of an efficient coordination management system which takes into account the interests of all policy areas, with the participation of state and non-state, national and international players alike.
3. Despite laudable beginnings, neither the EU nor the ACP have made much progress with the 'homework' issued at the UN conferences; as time goes by, the objectives are watered down, postponed or discarded. The lack of coordination in individual policy areas makes it impossible to achieve the necessary consistency. It is therefore indispensable, with a view to securing the attainment of the conference objectives, to organize practical cooperation within the framework of the Lomé Convention in such a way as to satisfy the pressure for implementation. Non-governmental organizations, circles of experts and representatives of civil society should be adequately involved.
4. Joint efforts should be made to draw up specific social regionally-differentiated and consistent development plans which are staggered over a period of time and tailored to the particular level of development and problems in each case: this is how Lomé cooperation should respond to the issues raised by the UN conferences. This calls for development plans in the following areas:
  - education for all;
  - the protection of children and children's rights;
  - the environment and development;
  - respect for human rights, democratic principles and good governance;
  - population and development;



- social development;
- the equality of women in political, economic and social life and in the family;
- the future of the cities;
- security of food supplies;
- jobs at a fair rate of pay.

There are many key concerns which go beyond individual topics — for example, combating poverty must always remain central — and so all the individual plans must dovetail and be coordinated.

5. While the North has to a large extent forgotten how to live in balance with nature, poverty is pushing the South in the same direction. There can be no sustainable development without peace with nature. The driving forces behind ACP cooperation are therefore urged to come together and embark on a learning process in order to develop and implement concepts by pooling experience and findings so as to counter dangerous global trends, such as the destruction of the environment, climatic change, population pressure, hunger and poverty, flows of refugees and civil wars and ethnic conflicts with a strategy for sustainability. The North and the South are both, in their own way, responsible for, and the victims of, those trends. Both sides must be prepared to learn in a spirit of partnership in order to secure the future of the globe.

6. The funding programmes of all the donor countries can only prove effective and lead to lasting development if adequate attention is paid to the social and ecological dimensions. All measures to secure the future of the globe should therefore comprise a development compatibility test to ensure that the requirement of sustainability and of consistency of the various EU policies is satisfied, notably in order to avoid clashes between agricultural, financial, trade and development policy.

7. The primacy of the sustainable development objective must be affirmed and transposed into the statutes and policies of the international institutions and the agreements governing world trade.

8. Development policy has so far neglected cooperation with the private sector. State development policy and private entrepreneurial interests should complement, rather than oppose each other. Private capital and management skills must be used for the benefit of development. Favourable economic framework conditions depend, however, on the willingness of undertakings to guarantee minimum ILO standards. The Commission is called on to draw up a draft business code of conduct based on those minimum standards. Direct investments by the economy in the developing countries can pay substantial development dividends: for example, the promotion of the local business community, the creation and preservation of jobs, training and further training, infrastructure developments, the diversification of economic structures, environmentally friendly consequences through modernization and the use of new technologies. Efforts must therefore be taken to encourage a greater commitment by undertakings in the ACP countries. In particular an export offensive for environmentally-friendly technologies for wind and solar energy (including photo-voltaic systems), the substitution of FHCs, small-scale hydro-electric plants and other renewable sources of energy must be promoted.

9. The existing structures of ACP cooperation must be thoroughly scrutinized to ascertain whether they can do justice to the implementation requirements with which they are faced following the UN conferences. With a view to establishing permanent interdisciplinary dialogue with the ACP States, the European institutions and private development cooperation bodies (all kinds of non-governmental organization, churches, political and social foundations, associations and societies) to devise 'tailor-made' plans for individual countries, sectors and regions should be devised. Civil society must be widely involved in the practical implementation of these plans.

10. In particular in order to raise the funds to secure basic services and the necessary infrastructure projects, including servicing, repair and maintenance work, provision must be made for budgetary aid which should, however, not be reserved solely for central distribution, but also be distributed at the responsibility of communal and regional authorities.

#### Culture and science

11. Access to elementary education should be treated as a priority objective of the national policies of the ACP States and a priority element in ACP/EU cooperation; particular efforts must be made to ensure education for girls and women.

12. The proportion of European Development Fund resources allocated to education must be increased. Priority must be given to elementary education and steps taken to guarantee the continuous funding of teaching staff and material in the long term.

13. In remote and sparsely-populated regions, particularly in the Sahel area and in sub-Saharan Africa, regular elementary education must be provided everywhere by the use of mobile forms of teaching and the extension of home schools.

14. The teaching of basic professional qualifications which can be developed later is also important: attention should focus on the development of manual skills and intelligence training. The notion of vocational education should be revalued as an essential and extremely worthwhile element within general education. Girls and women must be involved to the same extent as young men.

15. The Commission's communication on research policy in the developing countries offers an appropriate means of improving the status of research and technological development (RTD) in the ACP countries and making them a key element in sustainable development. Efforts must be stepped up to boost the scientific and technological potential in ACP countries and to encourage closer coordination between economic and technical cooperation on the one hand and scientific and technological cooperation, on the other in order thereby to reduce the deficit in economic, social and political sciences and engineering and to put the ACP countries in a better position to succeed in an increasingly global economy.

16. The EU institutions are urged to take into account development policy aspects in charting out economic and technological cooperation in the framework research programme. The Commission, in particular, is called on to submit a global report on the state of R&TD in the ACP countries with a view to evaluating the problems to be dealt with in those countries and the potential points of support for research in this field.

#### Children's rights

17. Due importance should be accorded to the situation of children when the Lomé Convention is revised: provision should be made for practical measures for basic care in the fields of education, training, health care and nutrition and to combat child labour, since child labour takes its toll on the physical and psychological health of children, prevents them enjoying education, thus blighting their prospects for the future.

18. The governments of the ACP countries are urged to introduce or enforce compulsory schooling and to develop suitable forms of teaching, for example mobile schools, for particularly disadvantaged regions.

19. The share of European Development Fund resources allocated to health care must be increased in favour of measures aimed in particular at reducing child mortality and improving reproductive health: these include information campaigns on the very serious consequences of the sexual mutilation of girls and women which leads to life-long suffering and even results in death in many cases.

#### The Environment

20. The recommendations for action made at Rio must not be reduced merely to environmental issues. Like the results of all the other major UN conferences, they also involve addressing social, economic and ecological matters, since a multi-faceted problem calls for a multi-faceted solution.

21. One priority objective must be to identify and use alternative, renewable forms of energy in order to reduce the wastage of energy, to cut back pollution and to save the forests. Both the EU and the ACP countries are urged to do everything within their power to ensure that, at the climate conference in Kyoto, the governments of the participating countries make a binding commitment under international law drastically to reduce greenhouse gases, in accordance with the declaration signed by 102 Nobel Prize winners.

22. The EU and the ACP countries are urged, jointly and with the participation of the political class, civil society and non-governmental organizations, to set up regionally-specific environmental development plans with a realistic time schedule and to monitor implementation thereof.

23. The key problem facing many ACP countries in Africa is progressive desert encroachment which calls for increased aid from the EU Member States and presupposes a willingness on the part of the ACP countries to target hunger, poverty and the rural exodus, the main causes of the loss of 25 billion tonnes of fertile soil yearly throughout the world.

24. In undertaking the durable environmentally-friendly infrastructure planning that is needed, alteration must be paid not only to economic efficiency, economic benefit and the protection of the natural resources, but — above all — to matters of daily concern to people in the regions concerned, who for example, need transport to the markets or schools or depend on the extension of social infrastructures.

25. In implementing infrastructure measures in the ACP countries, attention must of course be paid to environmental concerns, etc., but above all steps must be taken to ensure that the follow-up costs are covered and that long-term provision is made to maintenance, servicing, repair and controls. In the case of traffic infrastructure measures, special attention must be paid to questions of traffic safety. In particular, the requirements of air safety must be satisfied by frankly acknowledging current shortcomings and developing an air safety plan which can be realized with EU resources and know-how as rapidly as possible.

26. The ACP countries are exhorted to develop socially acceptable tax and levy systems and to use the revenue thereby generated to set up reserves for maintenance and servicing work etc, and a reserve fund to provide aid in the case of natural or other disasters.

27. The Member States of the European Union are urged to follow the positive example set by the Netherlands and to bind their bilateral cooperation with ACP countries to agreements which involve a commitment both to sustained development policy measures in the developing countries and to a more sparing use of raw materials in the Northern countries. The governments of all partners to the Convention are urged to review their legal provisions and other measures in all internal and external policy fields in the light of sustainability.

### Human Rights

28. People have civil and political rights which are not influenced by the level of development, and economic, social and cultural rights which are partly dependent on economic contingencies. Basic civil rights and freedoms and social human rights complement each other and must pursue the same objectives. Each person must be able to exercise his rights in his country of origin and residence. Fundamental conclusions of the World Conferences such as the confirmation of the universal validity of human rights in Vienna in 1993 and sexual and reproductive self-determination of women in Beijing in 1995 must not be relativized. No country has the right to question fundamental human rights in the light of temporary financial or economic difficulties.

29. The protection of minorities and respect for human rights which apply likewise to children, women and men, without regard to gender, race, skin colour, religious belief, world view or sexual orientation, must be the lodestar of ACP cooperation. They include equal rights and equal scope for participation, within the meaning of the UN Conventions and the decisions taken at the UN Conferences. ACP cooperation must provide a lively forum for an intercultural dialogue which can contribute towards promoting tolerance and openness and eliminating misguided patterns of behaviour.

30. All ACP and EU states are urged to sign, ratify and implement the most important protocols, conventions charters and declarations of the United Nations, the IAO and the OAU in the field of human rights. The European Union should support those ACP countries which have ratified international conventions in the field of human rights in taking the necessary measures immediately to implement these conventions.

31. As part of national and regional guideline programmes and the countervalue fund, generous resources should be made available to provide feeding programmes in the field of human rights and democracy for the authorities, the police, the army, the general public, journalists and human rights organisations.

### Population and Development

32. Any population policy which seeks exclusively to limit population growth is condemned to failure, as sufficient examples prove. As the threshold countries show, trends in birth rates depend, to a large extent, on general development factors. The best population policy is therefore a development policy which embraces economic development, the strengthening of the position of women, the spread of education — especially for girls —, the consolidation of domestic and external peace and a stable political and social order based on justice. Within this framework, steps must be taken to provide sex education and consultancy services —including for young people — and health services, including generalized access to free contraceptives; these services must be tailored to the particular regions, i.e. take the form of mobile services.

33. The ACP and EU countries are urged to document their activities so far in this field, including present data, and, on the basis of the resultant findings, to present an action plan in keeping with the Cairo resolutions containing practical implementation measures. The inclusion of non-governmental organisations and the active involvement of civil society is indispensable in this sphere.

34. ACP countries are encouraged to ensure that reproductive health care programmes do not exclude the reproductive needs of under-served groups, such as refugees and displaced populations and adolescents. Programmes should also take into account the vulnerability of these groups to sexual and gender-based violence.

### Social development

35. ACP cooperation can be developed as a model for an international social order and environmental policy to promote standards for international law, human rights, world trade and an effective world monetary and financial order, including comprehensive debt relief for the poorest developing countries, and to incorporate minimum social and ecological standards to a greater extent in the WTO process.

36. In accordance with the proposal put forward by Jacques Delors, a world security council for economic and social questions should be set up. Its task would consist, inter alia, in organizing a regular political, social and economic dialogue with parliamentary monitoring controls and involving non-governmental organizations. The actions of EU-ACP cooperation must also follow these guidelines, notably by more intensive use of the work of the Economic and Social Committee.

37. Development policy must play a significantly stronger role within the framework of the EU's Common Foreign and Security Policy in order to contain and avert security risks; however, this presupposes respecting the consistency requirement contained in the Maastricht Treaty. It is indispensable to coordinate the EU's development policy with the development policies of the Member States. To this end appropriate forms of cooperation must be developed between the EU delegations, the representatives of the EU states and the non-governmental organizations in the ACP states.

38. The Commission and the Member States are urged to prevail upon the international financial organizations to ensure that the necessary structure adjustment measures do not lead to the impoverishment and deprivation of broad sectors of the population, in particular women and children.

39. Satisfactory social development is inconceivable without combating unemployment and under-employment and extending environmentally friendly and sociably acceptable job opportunities. However, it also includes the effective satisfaction of spiritual, cultural, material needs — individual and collective alike — which must be an integral component of Lomé cooperation.

40. Lomé cooperation has an obligation vis-a-vis UN conferences to broaden contractual forms of cooperation to include demands which have not so far been covered by the Convention, for example a ban on child and forced labour, a ban on discrimination, agreement on minimum social standards and the right of assembly for workers.

41. An alternative model of intellectual property must be created which recognizes the work of invention and discovery of the indigenous peoples in the exploitation and use of genetic resources, affirms their inalienable rights and ensures them control over access to the resources existing on their territory, to serve as the basis for ACP-EU relations in this field; access to these resources must presuppose the consent of the local communities which have enabled them to be conserved, the distribution of the profits so as to compensate their informal innovations, and their full participation in decision-making.

42. Crime, criminal violence, corruption and drugs trafficking and abuse lead to social collapse which must be decisively resisted at both national and supranational level. The EU and the ACP states should therefore agree on the main pillars for a common strategy to combat crime aimed at allowing cross-border prosecution guaranteeing that penal measures are carried out and issuing workable rules for deportation, where necessary.

43. The EU should help the ACP countries to overcome the monocultures which are inherited from colonial times. Efforts should be made to achieve diversification and thereby escape the present ties of dependency, by means of changed production structures and broader market strategies.

#### **Women's rights**

44. A large number of ACP states have signed or ratified the 1979 UN Convention on eliminating all forms of discrimination against women; however, others have not done so. The governments concerned are urged to follow the example of their partner states and to accede to the Convention. All parties are urged to step up their efforts with a view to implementing all the provisions of the convention within their sphere of activity by the Year 2000, to give practical expression to the strategies of Nairobi and to draw the lessons from the Geneva declaration on women in rural areas.

45. Development policy objectives and demands concerning women must be regarded as a cross-sectional task. The participation of women on terms of equality at all levels and all phases of planning, implementation, controls and evaluation in respect of all measures relating to development cooperation (not only in respect of women) must be institutionally or legally safeguarded.

46. Programmes and measures in favour of women are important in their own right and thus form an indispensable part of all social development measures: without them there can be no lasting prosperity or viable community based on solidarity.

47. Comprehensive information and public awareness campaigns to bolster the rights of women in the developing countries, for example in favour of legal, economic, political and social equality, the recognition of women's rights as basic human rights and the prohibition and prosecution of violence against women and respect for women's right of sexual self-determination should be organized throughout the ACP countries with the help of the Commission in such a way as to ensure that they also address women in disadvantaged regions, and particularly disadvantaged groups, such as illiterate women, and encourage a willingness to accept changes in behaviour.

48. The Commission is urged, in cooperation with the ACP countries to submit an emergency aid plan to improve the situation of women in the poorest regions and in crisis areas or refugee camps with the priority objectives of combating poverty and ensuring food supplies, basic health services and vaccination campaigns, access to clean water and targeted aid programmes, for example by providing training in handicrafts or small or very small loans to set up businesses.

49. The Commission and the ACP countries are urged to let women play the important role they have in conflict prevention and peace-building and in the process of rehabilitation and reconstruction.

#### **Habitations fit for human beings**

50. The growth of very large conurbations poses a great challenge to both the industrialized countries and the ex communist states of central and eastern Europe and the developing countries, so that joint efforts on a basis of partnership are needed, in order to halt or avoid the destructive rural exodus and to make the cities more friendly places to live in. The habitat agenda with its global action plan and the Istanbul declaration on human settlements create a substantive basis for the creation of a living space fit for human beings: in respect of which all ACP states must agree on minimum standards in this respect.

51. The governments of the ACP states are urged to recognize that the construction of dwellings fit for human habitation is a public duty and to take steps to achieve this end which, by decentralizing responsibility, will strengthen the position of local government and, through the provision of the necessary funds, bring about structural improvements.

52. One urgent measure must be the development of a restructuring plan to counter the trend towards increasing rural poverty and the concomitant trend towards urbanization, to contain the rising cost of living and to help eliminate underemployment and unemployment, while ensuring that traditional forms of female employment — such as in the retail trade or processing foodstuffs — are not destroyed, without any substitute being created.

53. The targeted involvement of civil society in planning, implementation and maintenance is an indispensable precondition for achieving solutions which make citizens more responsible for their own actions and increase people's acceptance of change, for example their willingness to contribute towards the cost.

#### Security of food supplies

54. It is indispensable to strengthen the position of women in the family and community since, without the contribution they make towards health care and supplying food, it would be impossible to ensure the food supply. Particular efforts should therefore be made to familiarize women with improved methods of cultivation, harvesting and processing in order to increase self reliance, to reduce food imports and to limit monocultures.

55. The ACP countries and the EU are urged, in a spirit of partnership, to promote the extension and expansion of sustainable agriculture, which can satisfy both the basic requirements of the population and generates revenue through export sales.

56. The EU and its Member States are exhorted, by exploiting their research and development capacity and using cooperation between universities and research institutes, to ensure the use or reintroduction of traditional plants for the production of food, since the latter are better adapted to local conditions and need less agricultural chemicals. The success of imported high-yield varieties is open to question, if their cultivation is less sustainable and produces more environmental pollution.

57. Priority must be accorded both to securing provisions of fresh water and protecting — or increasing — fish stocks in rivers, lakes and seas.

58. The EU must ensure that food aid does not upset local production and local or regional markets, which means that a consistent European agricultural policy is necessary.

59. Emergency aid is sometimes indispensable, but cannot be a substitute for preventive measures. Measures to prevent natural and man-made disasters are a better form of emergency aid.

#### Conclusions

60. The Commission is urged forthwith to submit a report which gives a frank and honest account of ACP cooperation with its successes, failures and omissions in implementing decisions taken by the UN conferences and provides a blueprint for future cooperation, which is based on the conference results bearing in mind that, in spite of their geographical locations and level of development, the ACP States, in accordance with the UNDP Human Resource Development Index, continue to demonstrate the characteristics of developing countries, and provides a realistic time framework; social and ecological effects will require continuous critical scrutiny.

61. The successor agreement to the Lomé IV Convention should contain well-defined quantitative and qualitative targets in the areas of social development, food supplies and security, environment and trade, to be achieved within an agreed time-frame.

62. The European Parliament, the Commission and the Council are urged to draw up, together with the ACP countries, a comprehensive and consistent policy blueprint for development cooperation, together with the ACP in the light of the results (or failures) of the Beijing conference, the UN Convention of 1979 and the results of the conferences of Rio (environment and development 1992), Vienna (human rights 1993), Cairo (population and development, 1994) and Copenhagen (social summit, March 1995) and the ILO standards and the previous European Parliament resolutions; this blueprint should focus on combating poverty and thereby above all enhancing the position of women and call on the Member States gradually to achieve the figure of 0,7 % of GNP by the year 2000.



63. The resolution of conflict by domestic and international military clashes cancels out the development efforts undertaken by the ACP countries themselves and any benefit of ACP-EU development cooperation. The world social summit in particular demanded that more substantial financial resources be made available for social development. However, the state budgets of the ACP states are in some cases heavily burdened by military expenditure, in addition to debt servicing. Military expenditure should be reduced to 1 % of GNP .

64. The globalization of the problems requires a globalization of solutions, which by no means excludes regional plans. Instead of traditional models of foreign and security policy, new forms of international crisis management must be developed with a view to achieving solutions which are in keeping with human dignity, environmentally-friendly and inspired by a spirit of solidarity. They should be based on binding rules for cooperation, namely at the level of the UN and its sub organizations and international organizations such as the WTO and at the level of regional communities such as the EU, including partnership with the ACP countries and involving the national states, local political authorities and non-governmental organizations. The strengthening of regional integration can contribute in the long term towards making global cooperation a legally binding system of global standards in the international organizations and institutions.

65. Calls on the European Union and its Member States and the Commission to adopt, in international conferences and fora, including the WTO, IMF and World Bank, positions which are supportive of the objectives of the ACP-EU Convention. In this respect, it would be highly desirable for the EU Commission and ACP Group to coordinate and harmonize their positions as far as possible.

66. The ACP states must be supported in constructing effective regional security communities embracing all states. A code of conduct should be drawn up to prevent the arms trade to regional flashpoints. The arms trade and arms exports — not only in connection with Europe but also between individual ACP states — exacerbate conflicts and civil wars and should therefore be reduced and measures taken to promote investments in preventive measures.

67. In this spirit, all initiatives towards achieving an international convention on the control and reduction of trade in weapons, to be binding on the signatory states before the international community, will be welcome.

68. Development cooperation, humanitarian aid and crisis prevention should be subject to joint political controls and be coordinated.

69. The EU institutions and the governments of the EU Member States are urged, in cooperation with all the relevant organizations and population, groups to launch an information campaign in Europe to provide information about the background of international politics and basic European concerns and to seek acceptance for development cooperation so that citizens appreciate the need for it. Global learning must be anchored in all levels of school, extra curricula, university and other education and also find expression in vocational training.

70. Within an appropriate framework, development policy needs must be included in the educational measures of ACP states so as to promote self reliance. Sustainable development in any field can only be achieved with the conscious support of the population and not in defiance of popular wishes. The necessary processes of change can only be successful if they are desired by the people and if the people play a role in shaping them and accept responsibility for them. This means involving civil society, and particularly women, at all levels and all phases of development from the planning stage to implementation and follow-up assessment.

71. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the European Parliament and the Secretary-General of the United Nations.

RESOLUTION<sup>(1)</sup>

on ACP-EU cooperation on climate change and the Third Conference of the Parties to the Framework Convention on Climate Change (Kyoto, December 1997)

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - recalling the Programme of Action for small island states adopted at the UN Global Conference on the Sustainable Development of small island developing states (Barbados 1994) and in particular Chapter I thereof,
  - having regard to its previous resolutions on climate change, small island states and environment, in particular the resolution on the action to be taken on the Third Conference of Parties to the Framework Convention on Climate Change (Kyoto, 1997), adopted in Brussels on 20 March 1997<sup>(2)</sup>,
  - having regard to the relevant provisions of the UN Framework Convention on Climate Change, which gives specific recognition to the particular vulnerability and special circumstances of developing countries, especially small island states and other countries with low-lying coastal areas or areas liable to drought and desertification, in particular preambular paragraphs 12 and 19 and articles 3.2, 4.4 and 4.8(a),
  - whereas the commitments assumed by the governments at the first Conference of the Parties concerning the International Convention on Combating Desertification contribute to sustainable development and highlight the correlation between all the factors involved,
  - having regard to Articles 328, 335, 336, 337, and Chapter 2 of Title II, Part two of the Lomé IV Convention,
- A. noting that of all the signatories to the Lomé Convention, about a third are small island states,
- B. having regard to the deliberations currently taking place on the future of ACP-EU relations and the need to give greater attention to questions related to climate change in the future Lomé V Convention,
- C. whereas the industrialized countries bear the prime responsibility for the greenhouse effect, and they are therefore morally obliged to make a substantial contribution to preventing and resolving the problem,
- D. whereas at the extraordinary session of the UN General Assembly (Earth Summit II) held in New York from 23 to 27 June 1997 the international community as a whole confirmed its recognition of climate change, the role of greenhouse gas emissions as one of the biggest challenges with which the world will be confronted in the decades to come, and the need to adopt measures on the matter,
1. Expresses its conviction that prevention of and adaptation to climate change is an area in which ACP-EU cooperation should be enhanced in an effort to support sustainable development in ACP states and bring mutual benefits to ACP and EU members;
  2. Stresses the importance, in the context of ACP-EU cooperation, of actions in implementation of the UN Framework Convention on Climate Change, and calls on all the signatories of the Lomé Convention to acknowledge the priorities set in the 'Barbados Programme of action', integrating them in the future successor arrangement to Lomé IV;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 29 October 1997 in Lomé (Togo).

<sup>(2)</sup> OJ C 308, 9.10.1997.

3. Calls on the EU and its Member States to release sufficient financial and technical resources to ensure that the Convention on Combating Desertification and the Convention on Climate Change can be applied and enforced effectively; in this context recalls its appeal to the Commission and the Member States to assist ACP small island states on a regional basis, under separate and specific EDF allocation outside their National Indicative Programmes and Regional Indicative Programmes, in strengthening their disaster monitoring and preparedness programmes, including strategies and measures for adaptation to climate change and lessening of the impact of its consequential effects on their environment;
4. Reiterates its support for the draft protocol of the AOSIS states, which aims to reduce carbon dioxide emissions in Annex I countries to the FCCC by 20 % by the year 2005 as compared to 1990 levels, and calls on all Member States of the European Union and the ACP countries to do everything possible to ensure that negotiations under the Berlin Mandate lead to the adoption of a binding protocol or other legal instrument at the Third Conference of the Parties in Kyoto, which achieve genuine greenhouse gas emission reductions;
5. Stresses that the greenhouse gas emission reduction targets set out in the EU's negotiating position (a 15 % reduction on 1990 levels by 2010 and an intermediate target of at least 7,5 % by 2005) represent the absolute minimum, and that in practice the aim should be to achieve a 20 % reduction on 1990 levels by 2005;
6. Calls on the US and Japan to accept identical targets at the forthcoming Kyoto negotiations; notes President Clinton's speech at the Earth Summit II which seems to signal a change of attitude on the part of the US; the values suggested by the US and Japan for the forthcoming Kyoto Conference, are in no way sufficient;
7. Calls for a positive development in the approach of certain coal exporting and oil-producing countries, and deplores the lack of real influence of the AOSIS countries and ACP countries in the UN negotiations, despite them being members of the G-77;
8. Endorses the European Parliament's appeal to the European Commission and Council of Ministers to the effect that they should draw up a mandate for post-Kyoto negotiations, adopting a common approach to climate change from the year 2000 on, since this will be a key component of any package of measures agreed in Kyoto; and in this regard, regrets that the ACP-EU Working Group on Climate Change and Small Island States and the Committee on Development and Cooperation of the European Parliament will not be represented in Kyoto;
9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Secretariat of the United Nations Framework Convention on Climate Change with the request that it will be circulated to all non-EU contracting parties.

RESOLUTION<sup>(1)</sup>

## on ACP-EU cooperation in the fisheries sector beyond the year 2000

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - having regard to the Commission's Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century,
  - having regard to the deliberations of the follow-up group on fisheries in the context of the Lomé Convention,
  - having regard to the resolution on fisheries in the context of ACP-EEC cooperation, adopted in Brussels (Belgium) on 7 October 1993<sup>(2)</sup>,
  - having regard to the resolution on responsible fishing agreements adopted in Brussels (Belgium) on 28 September 1995<sup>(3)</sup> and the resolution on ACP fisheries and the eight EDF adopted in Brussels (Belgium) on 20 March 1997<sup>(4)</sup>,
  - having regard to the Resolution No 1/LXV/97 on imports of fisheries products into the EU from third countries adopted by the 65th session of the ACP Council of Ministers held in Brussels from 21 to 23 April 1997,
  - having regard to the resolution on international fisheries agreements adopted by the European Parliament on 15 May 1997<sup>(5)</sup>,
  - having regard to the resolution on coherence of the EC's development cooperation with its other policies, and in particular Section III C thereof (fisheries and development), adopted by the EU Development Council on 7 June 1997,
  - having regard to Chapter 17 of Agenda 21,
  - having regard to the FAO Code of Conduct for responsible fishing and the UN Agreement for the Management and Conservation of Straddling Fish Stocks and Highly Migratory Fish Stocks,
  - having regard to the deliberations currently taking place on the future of the ACP-EU relations and the need to address the areas that affect ACP fisheries sectors,
  - having regard to the fisheries agreements between the European Community and 14 ACP countries and to other fishing agreements with non-ACP countries,
  - having regard to the relevant sections of, and annexes to, the Lomé IV Convention, in particular Articles 58 to 68 and Annexes LXV to LXVII,
- A. noting that three of the objectives established by the Convention (a growing contribution of fisheries to rural development, a growing contribution to local fishery industry development, and greater access for Community fleets) can result in non-sustainable patterns of fisheries resources exploitation if the adequate measures are not taken to avoid conflict between the objectives,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 29 October 1997 in Lomé (Togo).

<sup>(2)</sup> OJ C 14, 17.1.1994, p. 22.

<sup>(3)</sup> OJ C 61, 29.2.1996.

<sup>(4)</sup> OJ C 308, 9.10.1997, p. 26.

<sup>(5)</sup> A4-0149/97 (Crampton report).

- B. stressing that most of the ACP countries with which the Commission has concluded fisheries agreements do not have industrial fleets, as a result of which the Community fleet catches perishable resources which would otherwise remain unexplored or be poached by other fleets, or, at best, be ceded to countries whose fisheries legislation may be far less rigorous as regards resource control, management and conservation policies than the rules required of Community fishermen by the EC regulations, and which have entered into no development cooperation undertakings; whereas this would be of no benefit whatever to the ACP countries or to other developing countries,
- C. calling on both the EU and ACP sides to launch talks with other countries having large long-distance fishing fleets, with a view to ensuring that all countries negotiating fisheries agreements with developing countries respect the obligations arising from multilateral agreements,
- D. recalling that the international fisheries agreements signed with the EC represent for many countries their means of ensuring surveillance and control of resource exploitation in their territorial waters, as well as a source of financial and technical resources for the scientific studies which are both necessary and desirable for measures to preserve the ecological balance,
- E. convinced that, if sustainably exploited in a manner which is integrated with the wider economy of the ACP states concerned, the fisheries sector can become an engine of economic growth and development,
- F. noting that the growing degree of globalization of the sector and its interdependence with other social and economic activities requires pro-active systems research and new types of cooperation and partnerships between political and economic decision makers and researchers,
1. Firmly believes that fisheries is one of the sectors most eminently and visibly characterized by the shared interest and interdependence of the partners, and that suitable forms of cooperation in the sector are therefore essential with a view to ensuring sustainable exploitation of fishery resources in the future for the benefit of all;
  2. Supports an all-embracing approach to ACP-EU cooperation in the fisheries sector in order effectively to promote the sustainable and integrated economic and social development of ACP coastal countries; proposals for reform of the existing basis for ACP-EU cooperation should be judged on this basis;
  3. Takes note of the results of the dialogue process on the joint development of the ACP-EU Fisheries Research Initiative;
  4. Recalls that the EC, unlike other countries, has created a rigorous legal framework as regards marine resource conservation and ecological concerns, ensuring, through its initiative, the application of those principles to the activity of the Community fleets fishing under international agreements;

#### **On sustainable exploitation**

5. Notes that fishery resources worldwide, with few exceptions, are fully exploited;
6. Stresses the need for access to resources allowed under fisheries agreements to be fully consistent with a precautionary approach to sustainable fisheries management;
7. Calls on the Commission to give special attention to projects aimed at promoting scientific research into the state of fish stocks, effective monitoring and control, and sustainable fisheries management;
8. Calls upon both ACP and EU governments to recognize the important contribution of the artisanal sector to food security, employment and local development; notes that the sector is highly vulnerable in the face of organized commercial fishing, where the two sectors fish the same stocks;

**On trade and access to the European market**

9. Notes that the situation regarding rules of origin for fishery products under the Lomé Convention is unsatisfactory, and renews the Assembly's request that all catches made in waters over which ACP states exercise sovereign rights and which are obligatorily landed in ACP ports for processing there and exported to European markets should enjoy originating status;

10. Considers that, under the future contractual framework for ACP-EU relations, it will be desirable to retain exemption from customs duties for access to the EU market for all fisheries products originating in ACP states, and takes the view that this position should prevail in the WTO;

11. Notes that EU standards on hygiene and phytosanitary standards have sometimes prevented the importation of fish and fisheries products from ACP countries and that there is a need for EU and ACP governments to cooperate to ensure that all fish and fisheries products caught in ACP waters and destined for Europe satisfy the EU criteria;

12. Requests the Commission to consider favourably the extension, in accordance with Article 11(7) of Directive 91/493/EEC, of the derogation contained in the Commission's decision 97/256/EC dated 22 April 1997 until the expiry of Lomé IV in February 2000, in order to avoid any disruption of traditional patterns of trade and to provide sufficient time to the ACP states concerned to complete their modernization programme, including the construction of new canneries, which necessitate heavy capital investment and the procurement of appropriate technology;

**On financial and technical cooperation**

13. Notes that the possibilities for financial and technical cooperation in fisheries which exist under the Lomé Convention have not been fully utilized by coastal ACP countries;

14. Feels that mechanisms should be found which enable local investors in ACP countries to move into industrial scale-fishing, while ensuring that no direct damage is done to artisanal fishing;

15. Believes that successful long-term development projects in the fisheries sector are only possible with the support of independent and responsible local fisheries sector organizations and that there is a need to build on participatory approaches, not only with regard to project-level interventions, but also with regard to issues of fisheries policy development and fisheries management;

**On fishing agreements**

16. Encourages increased regional cooperation or sub-regional cooperation in the framework of the future ACP-EU relations in the fisheries sector in integrated management of stocks in EEZs, marine pollution control, human resource development and training, exchange of data, and surveillance and enforcement measures;

17. Calls on the Commission and the ACP coastal states to study the possibility of concluding regional or sub-regional fisheries agreements including both the coastal states in whose waters the fish are found and all distant water fishing nations which fish for those stocks;

18. Considers that financial compensation for fishing rights should reflect the true economic rent of the resource;

19. Considers, therefore, that, given the considerable nature of the factors involved and without prejudice to the EU's development cooperation commitments with third countries, it is necessary to retain a range of different types of agreement, thus making it possible to realize the real potential of both sides in a fruitful and progressive fashion;

20. Considers that if progress is to be made towards establishing more equitable fisheries agreements, the catch possibilities granted to EU vessels should be calculated on the basis of real catches actually made, rather than resorting to criteria which are difficult to verify such as GRT;

21. Welcomes the provisions in fishing agreements for specific areas to be reserved for artisanal fishermen; calls for the enforcement of these areas and the retention in future agreements of the principle underlying their creation, allowing in all circumstances for the impossibility of such reserved areas corresponding to the same predetermined number of miles in all cases, given the multiple factors involved, such as platform size, the behaviour of the various species fished in the different countries (e.g. migratory species) and the capacity of the local artisanal fleets; calls, accordingly, for the minimum size of the protected areas to be examined on a case-by-case basis;
22. Is of the opinion that local canneries should have guarantees for certain minimum supplies;

#### On coherence

23. Considers that, in line with the spirit of Articles 130u and 130v of the Treaty on European Union, future ACP-EU relations in the fisheries sector should be based on a coherent development policy for the sector in the ACP countries, which should not be undermined by fisheries agreements having a detrimental effect on resources (competition in access to stocks), employment (competition in the processing sector), food safety, or hard currency gains from exports (competition in access to non-European markets);
24. Considers that if ACP-EU relations are to be coherent, they must protect, both via the Lomé Convention and through fisheries agreements, the interests of local fisheries, given the industry's role as an effective instrument of sustainable social and economic development;
25. Considers that the practical application of the FAO Code of Conduct for Responsible Fishing (as accepted by numerous European and ACP countries) in the context of future ACP-EU fisheries relations, especially at the level of fisheries agreements, should permit the rational exploitation and optimal utilization of marine resources for the benefit of all; careful consideration should be given to the establishment of an ACP-EU Code of Conduct for Responsible Fisheries Agreements, designed to promote both a precautionary approach to sustainable fisheries management and the EU development policy objectives;
26. Encourages the creation of a dialogue platform for responsible fishing where public and private decision makers, professional organisations and researchers can meet and contribute their specific experience and outlook to creating a vision for fisheries cooperation in the next decade with a view to maintain or increase benefits from the sector for all stakeholders concerned;
27. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.



RESOLUTION<sup>(1)</sup>

## on the situation in Angola

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - recalling its previous resolutions on the war situation, and the peace process in Angola, especially that of 20 March 1997,
  - having regard to the declaration of the European Union of 11 April 1997,
- A. alarmed at the enormous loss of life and destruction resulting from the civil war,
- B. reaffirming that the international community and the EU must continue to support the Angolan peace process launched in 1994 with the Lusaka agreements,
- C. concerned at the delay in implementing the peace process launched in 1994 with the signature of the Lusaka protocol by the Angolan government and UNITA, despite the positive signs given by the formation last April of a government of national unity and reconciliation and the accession to the National Assembly of all the parliamentarians elected at the 1992 general election,
- D. whereas the repeated delays in the implementation of the Lusaka Protocol, caused both by UNITA and by the government, prompted the UN Security Council to decide on the introduction of sanctions against UNITA on 30 September 1997,
- E. whereas the UN Security Council decided at the end of September to delay for 30 days the application of the sanctions against UNITA,
- F. whereas the Security Council criticizes UNITA for unwillingness to disarm its troops or return the regions hitherto under its control,
- G. noting with concern that the climate of suspicion has worsened over the last few months between the government and UNITA and this may have adverse effects on the peace process,
- H. having regard to the severe economic and social plight of the Angolan people following the civil war, and recalling the threat represented by the large numbers of anti-personnel mines scattered throughout Angola,
- I. concerned at the military intervention by government troops in neighbouring countries such as the former Zaire and Congo-Brazzaville,
- J. recognizing the strenuous efforts of the United Nations Secretary General's Special Representative in Angola, Mr Alioune Blondin Beye, and of the Troika to maintain both UNITA and the Government in a consultation spirit on the peace process,
- K. recalling the important role played on the ground by UNAVEM and by UNMOA,
1. Reaffirms its commitment to the total implementation of the peace agreements and the Lusaka Protocol, and recalls the Union's undertaking to contribute to the full realization of the peace process;
2. Calls on the government authorities and the UNITA leader to overcome the still-prevailing climate of suspicion which makes each side doubt the other's good faith as regards respecting the Lusaka commitments, and to comply in full with their undertakings in the context of the agreements, since only their full application can ensure peace, reconciliation and development in Angola;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

3. Calls upon UNITA to abide strictly by its obligations under the Lusaka Protocol, in particular by:
    - rapidly disarming and demobilizing the remainder of its troops;
    - allowing the UNMOA to verify the access to the aviation fields still controlled by UNITA;
    - cooperating fully in the extension of the central state administration;
  4. Calls on the government to refrain from any further unprovoked military action against UNITA;
  5. Calls on the UN Security Council:
    - (i) to intensify its pressure upon both parties in such a way that all the Lusaka Protocol obligations are fulfilled quickly and no sanctions are needed at the end;
    - (ii) to sponsor instead a high-level diplomatic initiative to encourage a meeting between President Dos Santos and Dr. Savimbi to overcome the present stalemate in the peace process;
  6. Calls on the International Community and the United Nations Security Council in particular to continue the UNMOA support until a final settlement of the Angolan conflict is reached;
  7. Calls on the entire international community to provide the financial and technical assistance required for infrastructural rehabilitation, mine clearance, and, more generally, the revival of economic activity; recalls, in this connection, that Angola has huge and urgent needs as regards schools, hospitals and roads, as well as basic necessities;
  8. Appeals to the International Community and the EU in particular to continue its contribution to the peace process in Angola and to help create better conditions for the reintegration and rehabilitation of former soldiers into civilian life, and insists on the need for reconstruction and rehabilitation operations to take account of the serious problems related to combatants rejoining their families and the return to work of demobilized persons;
  9. Appeals to the Angolan government to combat the proliferation of arms and weapons of destruction in civilian hands, and to facilitate and promote the demining of all sorts of mines in Angola;
  10. Calls on all the parties concerned to refrain from any further military intervention in the region;
  11. Urges UNITA to accept government administration in its areas;
  12. Calls on the Commission and the UN to encourage, through financial support, the work of NGOs engaged in mine clearance in Angola, and proposes the creation of and support for information programmes for local communities and training schemes for national specialists;
  13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the UN and OAU Secretaries-General.
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RESOLUTION<sup>(1)</sup>

## on the situation in Congo-Brazzaville

*The ACP-EU Joint Assembly,*

— meeting in Lomé (Togo) from 27 to 30 October 1997,

- A. whereas, at the approach of the presidential elections scheduled for 27 July, fighting broke out between the forces of President Pascal Lissouba who was democratically elected in 1992 and supporters of his predecessor Denis Sassou Nguesso,
- B. whereas the fighting which has continued for over four months has imposed great hardships on the Congolese people, left more than four thousand dead, devastated the capital, forced its inhabitants to flee and seriously harmed the country's economic situation,
- C. having regard to the efforts made as part of the international mediation organized by the President of the Gabonese Republic, Omar Bongo, with the support of Ambassador Mohamed Sahnoun, the Special Representative of the UN and the OAU, to induce the parties involved in the conflict to seek a negotiated and durable settlement to the crisis,
- D. whereas troops from the Democratic Republic of Congo are being deployed in Brazzaville, ostensibly to ascertain the origin of shots which were fired on Kinshasa in September killing several people,
- E. whereas Angolan troops have intervened in Congo from the Cabinda enclave,
- F. recalling that the fighting has ended with the seizure of power by Sassou Nguesso,
- G. having regard to statements made by Sassou Nguesso at his swearing-in ceremony,
  - 1. Deplores that the military option has once again prevailed over negotiation and the peaceful settlement of the crisis in Congo-Brazzaville;
  - 2. Reaffirms its support for the principle of non-interference; therefore condemns the military interference of Congo-Brazzaville's neighbouring countries and calls for the immediate withdrawal of foreign troops from Congo;
  - 3. Notes the declarations made by Sassou Nguesso who after his military victory is in favour of a revival of the democratic process and has announced his intention of setting up a government of national unity, organizing democratic elections and respecting human rights;
  - 4. Calls for the opening of talks between all the Congolese parties to the conflict aimed at agreeing, in a spirit of national reconciliation and civil harmony, on the revival of the democratic process in order to allow free elections to be held;
  - 5. Calls for all the militias to be disarmed forthwith;
  - 6. Asks the international community and the EU in particular to support the requests by appropriate international agencies for emergency humanitarian aid to displaced persons as well as the 150 000 Rwandan refugees that fled from the Democratic Republic of Congo in May 1997;
  - 7. Calls on the authorities of the Democratic Republic of Congo to comply with the request of the ICRC and other humanitarian organizations to open a humanitarian aid corridor between Kinshasa and Brazzaville to permit aid to be brought to the victims of the fighting and persons displaced by the civil war;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

8. Calls on the European Union to prepare a plan for the reconstruction and rehabilitation of the areas devastated by fighting so as to permit the Congolese who have been displaced or have taken refuge in neighbouring countries to return speedily as soon as sufficient security has been restored;
9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Secretaries-General of the UN and the OAU.

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### RESOLUTION<sup>(1)</sup>

#### on Sudan

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - recalling its previous resolutions on human rights violations in Sudan,
- A. anticipating an escalation of civil war and, subsequently, the increased suffering and displacement of civilian communities in southern Sudan, the Nuba mountains, the southern Blue Nile and northern Bahr el Ghazal and eastern Sudan, and a surge in the numbers of refugees and displaced persons,
  - B. concerned by the mounting destabilization of security in the Horn of Africa due to the ongoing war in Sudan and disturbed by violation of sovereignty of countries in the region, most notably Eritrea, Ethiopia and Uganda, by the Government of Sudan,
  - C. dismayed that the Government of Sudan has not yet complied with the requests of the Central Organ of the OAU Mechanism for Conflict Resolution and with resolutions of the Security Council urging Sudan to extradite to Ethiopia the three men allegedly involved in the 26 June 1995 attempt to assassinate President Mubarak of Egypt,
  - D. alarmed by reports of the Foreign Ministry of Eritrea indicating involvement of the Sudanese Government in a plot to assassinate Eritrea's President Afwerki,
  - E. aware of reports indicating that the Sudanese Government is offering military support and a safe haven to several Ugandan rebel groups, among them the Lord's Resistance Army,
  - F. aware that a Security Council resolution to ban all aircraft either registered in Sudan or owned, leased or operated by, or on behalf of Sudan Airways from taking off from, landing in, or overflying other national territories, and close the offices of Sudan Airways abroad, is still pending,
  - G. aware of the UN resolution on human rights in Sudan and sharing the deep concern expressed by the UN Commission on Human Rights at continued serious human rights violations by the Government, including extrajudicial killings, arbitrary arrests, detentions without due process, enforced or involuntary disappearances, violations of the rights of women and children, slavery and slavery-like practices, forced displacements, systematic torture and denial of freedom of religion, expression, association and peaceful assembly,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

- H. equally concerned by violations by other conflict parties including kidnapping, arbitrary detention, forced conscription, indiscriminate killings, forced displacement and arrest of foreign relief workers without charge,
- I. outraged at the use by all conflict parties of military force to disrupt or attack relief efforts,
- J. concerned by the conscription of secondary school boys into the army following a decree of Sudan's President that all boys waiting to be enrolled into the universities must first serve in the army before being admitted for further studies,
- K. whereas the Islamist regime which has been in power since the 1989 coup has made political parties, trade unions and political meetings illegal,
- L. equally concerned by the ongoing aerial bombing of civil targets killing and injuring civilians like in Yei on 8 October,
- M. aware of the extended mandate of the UN Special Rapporteur on Sudan,
- N. aware of the resumption of talks under the auspices of IGAD scheduled for 28 October, and reiterating its belief that the IGAD peace initiative is the most effective platform to achieve a just and durable resolution of the conflict through dialogue,
- O. aware of the scheduled Ottawa Conference of countries which will sign the 'Ottawa Agreement' banning anti-personnel landmines,
1. Urges in the strongest terms all major conflict parties to restart a sincere process under the auspices of the IGAD, aiming at a just and lasting peace and based upon the IGAD Declaration of Principles, starting with imminent IGAD meeting scheduled in Nairobi on 28 October;
  2. Strongly supports the regional initiative, the IGAD peace process, as the only viable alternative to bringing about a comprehensive settlement of the civil war in which all of the parties to the conflict are to be involved and in particular supports the IGAD countries which have taken the initiative and persisted in seeking a just and lasting peace, despite setbacks and difficulties and congratulates them for making it possible for both sides to agree to talk on the basis of the Declaration of Principles;
  3. Urges the Government of Sudan to extradite to Ethiopia the three suspects allegedly involved in the assassination attempt on the life of President Mubarak of Egypt;
  4. Condemns terrorism and urges the Government of Sudan to stop its policy of destabilization of its neighbouring countries and to stop the support of rebel groups like the Lord's Resistance Army;
  5. Calls on the UN Security Council to maintain and implement sanctions against Sudan for as long as the Government of Sudan fails to respond to requests of the OAU and the resolutions of the UN Security Council;
  6. Calls on the international community and the EU to maintain sanctions and not to resume development cooperation until the Government of Sudan refrains from atrocities and from denial of humanitarian relief of its people;
  7. Calls also on the International Monetary Fund to make the continuation of the financing mechanisms so far granted to the Sudanese government conditional upon compliance with the demands of the OAU and the Security Council;

8. Condemns the Government of Sudan and other conflict parties for the continuation of grave human rights violations and urges all parties to respect international humanitarian law and human rights prohibiting forced recruitment, attacks of noncombatant and civilian objects and indiscriminate attacks and to ensure that its forces are properly trained and act in compliance with international standards;
9. Urges the Sudanese Government to fully cooperate with and to guarantee the protection of the UN Special Rapporteur and to investigate reported policies or activities which involve the sale of or trafficking in children and to carry out its promised investigations into cases of slavery, forced labour and similar practices;
10. Urges the Government of Sudan to cease all acts of torture, close down its clandestine detention centres and to release all political detainees unless they are to be charged with a criminal offence and brought to a fair trial without delay;
11. Requests the Government of Sudan to allow the deployment of independent human rights officers in Sudan as suggested by the UN Human Rights Commission;
12. Urges all parties to fully cooperate with Operation Life Line Sudan and not to obstruct relief assistance;
13. Calls for humanitarian assistance to the civilian population in the NDA controlled areas, not only in the south but also in the Blue Nile and Red Sea (Eastern) provinces;
14. Supports the just cause of the people of southern Sudan and the struggle of the National Democratic Alliance (NDA) which includes all political forces in the country, both traditional and new, except the NIF;
15. Urges the Government of Sudan to halt the destruction of multipurpose and prayer centres in Khartoum and other urban centres until the right to judicial review and appeal, suspended by the 1990 Amendment to the Civil Transactions Act is restored; to award compensation for the property lost and to permit adherents of all religions to worship freely and to build, purchase or rent house of worship without obstruction and to rebuild the two multipurpose centres to be officially considered churches;
16. Welcomes the participation of the Government of Sudan in the Ottawa process and is looking forward to the signing and ratification of the Ottawa agreement banning anti-personnel land mines and urges other conflict parties to comply with the agreement voluntarily;
17. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the OAU, and the United Nations.



RESOLUTION<sup>(1)</sup>

## on the situation in Sierra Leone

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - having regard to United Nations Security Council resolution 1132,
  - having regard to the Declarations by the Presidency of the European Union of 28 May, 20 June and 10 July 1997 on the situation in Sierra Leone,
  - having regard to its previous resolutions on Sierra Leone,
- A. seriously concerned at the continuous reports of looting, killings and the general deteriorating situation in Sierra Leone, following the military coup d'état of 29 May 1997 that brought the current military regime of Major Johnny Paul Koromah to power,
- B. whereas this military coup d'état seized power from the ten-month old democratically elected government of President Ahmad Tejan Kabbah, which had taken concrete steps to restore democratic governance, the rule of law, and to seek a negotiated settlement with the rebel Revolutionary Front,
- C. having regard to the rapid deterioration in the humanitarian situation in the country and the massive influx of refugees into neighbouring countries,
- D. welcoming the regional efforts of the Ecowas Committee of Four on Sierra Leone, comprising the Foreign Ministers of Côte d'Ivoire, Ghana, Guinea and Nigeria, that insists on establishing a negotiated solution using a combination of dialogue, sanctions and an economic embargo,
- E. having regard to the sanctions imposed on 8 October by the United Nations Security Council with a view to prohibiting movement by members of the junta and implementing an embargo on armaments and petroleum,
- F. whereas Ecowas has been mandated by the United Nations to monitor compliance with the sanctions,
- G. whereas, at the meeting organized by Ecowas at Conakry on 23 and 24 October 1997, those responsible for the coup d'état announced their intention to cede power in April,
1. Condemns the military coup d'état of 29 May 1997 that has interrupted the democratization process and caused internal instability throughout Sierra Leone;
  2. Notes the commitments assumed by the military junta to abolish power and reinstall the democratically-elected President, Ahmed Tejan Kabbah;
  3. Supports fully the diplomatic efforts deployed by Ecowas Member States and urges them to continue to work towards peacefully restoring the constitutional order and returning the democratically elected government to power;
  4. Urges the members of the military junta and their allies to pursue the peace negotiations under Ecowas auspices in good faith and in a spirit of national reconciliation;
  5. Calls on the International Community and the EU in particular to lend its full support to the diplomatic regional efforts which Ecowas and the OAU are making to resolve the crisis in Sierra Leone and to prevent further bloodshed;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

6. Supports the embargo measures launched at regional level and taken up by the United Nations, and calls on all signatories to the Lomé Convention to cooperate with Ecowas in guaranteeing full implementation of those measures;
7. Calls on the international community and the EU in particular to increase humanitarian aid to Sierra Leone victims of the current crisis in the West African region;
8. Calls on the European Union to provide consistent assistance to neighbouring countries that have taken in a good many refugees since the outbreak of hostilities;
9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, Ecowas, the OAU and the military junta of Sierra Leone.

# RESOLUTION<sup>(1)</sup>

## on Mali

*The ACP-EU Joint Assembly,*

— meeting in Lomé (Togo) from 27 to 30 October 1997,

- A. regretting the growing political tension since the parliamentary elections of 13 April 1997, and in particular the temporary breakdown of dialogue between the parties of the presidential majority and the parties of the radical opposition,
  - B. noting the results of the parliamentary elections of July and August 1997, which produced a victory for ADEMA, and deploring the boycott of these elections by the radical opposition,
  - C. convinced that the opposition has a decisive role to play in any democratic process and regretting the limited representation of the opposition parties and their lack of resources, organization and training, while also noting that this state of affairs is unlikely to favour peaceful democracy,
  - D. noting the attempts by the President of Mali to resume political dialogue with the opposition parties,
  - E. welcoming the recent statement by Mali civil society that it wishes to take an active part in the democratic life of the country,
  - F. acknowledging the efforts made by the President of the Republic of Mali to consolidate democracy in his country,
1. Condemns the acts of violence perpetrated after the presidential elections of 11 May 1997 and the parliamentary elections of July and August 1997, in particular those of 10 August which led to the death of a policeman at a meeting in Bamako;
  2. Calls on the European Union, in the context of its conflict prevention policy, to give due consideration to the current political situation in Mali;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

3. Reiterates its support for the actions of the President of the Republic of Mali in support of pluralism of opinion;
4. Notes the attempts by the President of Mali to bring about a resumption of the dialogue with the opposition parties, and welcomes the forming of a pluralist government, open to alliances;
5. Calls on all political forces in Mali to abstain from recourse to violence and to work for a system based on the democratic and peaceful alternation of power through the ballot box;
6. Calls on the EU to strengthen the programme of support for democracy and, in particular, preparatory work for the next elections and the training of political leaders;
7. Welcomes the remarkable progress achieved by the Mali authorities in establishing a dialogue between the peoples of the North and considers that this dialogue is essential to the maintenance of the region's stability;
8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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#### RESOLUTION <sup>(1)</sup>

##### on South Africa

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - having regard to the previous resolutions on South Africa which have been adopted by the Joint Assembly, and notably at its last meeting in Brussels on March 20, 1997,
- A. whereas the Republic of South Africa and the European Union are actively pursuing negotiations which are designed to lead to the creation of a Free Trade Area, in the context of a bilateral Trade and Development Agreement,
  - B. whereas the outcome of these negotiations has direct implications for South Africa's neighbours in the Southern African region and, in the longer term, for the forthcoming negotiations between the EU and all ACP states,
  - C. noting with concern the continued uncertainties surrounding the application of the regional cumulation provisions, agreed during the Lomé IV Mid Term Review, to the Southern African region, which is acting as an impediment to regional investment and the diversification of export production,
  - D. recalling the political commitment of all parties to these negotiations to conclude an agreement within a reasonable time frame in order to further consolidate the democratic institutions of South Africa and to create more a favourable environment for investment in the region,
  - E. recognising the need for the SADC states to successfully conclude their negotiations on a trade protocol amongst themselves which will ensure sustainable trade development and cooperation and lead to increased employment opportunities,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

- F. recognizing also the commitment of the European Union to an asymmetrical and differentiated removal of tariffs on 'substantially all' trade between the EU and South Africa in a way which reflects the EU's existing commercial advantages while affording South Africa significantly improved access to the EU market and allowing it an acceptable breathing space, for it to continue to restructure its economy in line with the South African government's development strategy,
  - G. emphasizing that the priority of eradicating the economic legacy of apartheid requires a special effort and commitment by the EU which ensures that its proposals in the context of these negotiations do not lead to further inequalities in South African society, nor to greater levels of unemployment in sensitive urban or rural areas, and that those proposals should be specifically geared to the enhancement of job opportunities in areas of the country which already experience high levels of poverty,
  - H. welcoming the Commission's growing recognition of the impact of the proposed EU/South Free Trade Area on neighbouring ACP economies,
  - I. welcoming the 'positive and constructive' July Ministerial meeting and noting that, although divergencies remain on fisheries, wine & spirits, non-traded products and other sensitive sectoral issues, the conditions in which technical discussions are taking place for the conclusion of an agreement now appear more favourable,
  - J. bearing in mind the agreement on the Multi-Annual Indicative Programme which identifies agreed priorities for development and cooperation between the EU and South Africa; and the agreement with the EIB on additional loan facilities for private, public and service sectors,
1. Welcomes the advances already achieved in the negotiations, and in particular the successful conclusion of an agreement enabling South Africa to take its rightful place as a qualified member of the ACP-EU Convention allowing it, inter alia, to participate actively in all joint institutions created by the Convention;
  2. Calls upon the Commission and the South African authorities to accelerate their technical discussions and calls upon the Customs Cooperation Committee to reach agreement on the necessary clarification concerning the 'ad hoc' provisions for the rules of origin of products applied under the Lomé framework, in such a way that there is certainty about the use of this facility and that it is able to contribute towards promoting regional cooperation in southern Africa;
  3. Calls for mutually agreed concrete mechanisms to be established (such as 'special protocols') to deal with 'sensitive' products on both sides;
  4. Reaffirms its view that the principles of asymmetry and differentiation allow for the protection for a period of time of regionally 'sensitive sectors' in order to ensure the maintenance and extension of the existing productive base of southern African economies;
  5. Reiterates its belief that, in the interest of balanced regional development in Southern Africa, tariff elimination should only be introduced after tariffs have been eliminated on imports from neighbouring SSADC countries, in order to ensure neighbouring countries gain the full benefits of duty free access to the South African market;
  6. Calls upon the General Affairs Council of the EU to reject all forms of conditional linkage between the various agreements being sought between the EU and South Africa as these linkages undermine confidence, limit progress and prevent the achievement of compromise which will allow the negotiations to reach a successful conclusion;
  7. Urges the negotiators to pay particular attention to the effects on agricultural employment in South Africa and in the EU, pointing out that certain products which are identified on the EU's so-called 'negative list' are produced by labour intensive means in South Africa and that a failure to provide better terms of access to the EU market, in the context of the removal by South Africa of export subsidies and other WTO unacceptable support schemes, could therefore have severe negative consequences on local communities;
  8. Calls for an urgent review of the existing tariff structures on beef exports from the EU to South Africa to prevent 'dumping' which is currently undermining cattle prices throughout the Southern African region and increasing poverty in many rural areas;

9. Calls upon the EU to commit itself to making an ongoing contribution to the South Africa's development effort through the EU budget, given that South Africa is not a recipient of EDF resources, and urges all partners to the development effort to constantly seek to raise the quality and efficiency of development programmes and projects and to simplify and decentralize decision making procedures;

10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and to the Commission.

# RESOLUTION<sup>(1)</sup>

## on Southern Africa

*The ACP-EU Joint Assembly,*

— meeting in Lomé (Togo) from 27 to 30 October 1997,

— having regard to its previous resolutions on the developments in the Southern African region,

- A. aware of the commitment of the countries of the Southern African region to the promotion of regional co-operation and integration,
- B. noting the economic reform programmes, such as the economic and social reform agenda, national development strategy and public sector management programme undertaken by the Southern African region,
- C. noting with concern the threat and the expected repercussions of El Niño on the countries of the region,
- D. welcoming the positive decision taken by the CITES COP 10 meeting held in Harare, Zimbabwe, on June 9-10, 1997, to down-list the African elephant populations in Botswana, Namibia and Zimbabwe from CITES Appendix I to Appendix II, in recognition of their good conservation status,
- E. encouraged by the results of the Oslo diplomatic meeting in September 1997, on the International Ban on the use of, stockpiling, and manufacture of anti-personnel mines,
- F. concerned by the spread of Bovine Pleuropneumonia (CBPP) disease in the region and the need to implement measures to eradicate the disease,
- G. concerned by the frequent occurrence of droughts, floods and refugee influx in the region,
- H. encouraged by the adoption of the Plan of Action of the SADC-EU conference on HIV/AIDS Conference on Southern Africa which was held in Blantyre in December, 1996,
- I. welcoming the Maseru Statement of May 1997 on the development and formulation of the Regional Strategy for Integrated Water Resources Management programme,
- J. welcoming the positive outcome of the SADC Heads of State or Government summit in Blantyre (Malawi), in September 1997,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

- K. noting the numerous decisions adopted by the Summit towards the building, consolidation and strengthening of an integrated sustainable economy in the region,
- L. further encouraged by the strong commitment of SADC countries to respect human rights, fundamental freedoms and principles of democracy,
- M. welcoming the establishment of the SADC Parliamentary Forum as an autonomous institution of SADC,
- N. noting the ongoing negotiations between the Government of South Africa and the EU for a comprehensive Trade and Development Agreement,
- O. appreciative of the EU's acknowledgement that a Free Trade Agreement with South Africa should be asymmetric both in content and timing,
- P. mindful of the ACP Heads of State and Government Summit to be held in Gabon from the 6th to the 7th November, 1997,
- Q. concerned by the continuous delay in applying the Lusaka Protocol and its negative consequences on the reconciliation process, stability and economic developments in Angola,
- R. concerned by the Commission of the European Community's decision to interrupt certain economic relations with Angola in order to induce UNITA to fulfil its obligations in the peace process,
1. Requests the EU and the International Community to support the region's efforts to encourage mutually-supportive sustainable use of natural resources by rural communities;
  2. Appeals to the international community, and in particular the EU to make additional allocation of resources to regional co-operation and integration activities in Southern Africa;
  3. Calls upon the EU to mobilize emergency and Humanitarian Aid for relief, rehabilitation and alleviation of the efforts of droughts, floods and refugee influx respectively;
  4. Calls on the EU to mobilize its Aid services in view of the possible adverse effects of El Niño on the region;
  5. Calls on the countries that continue to manufacture, use and export anti-personnel mines, to match the initiatives of Southern Africa and work with ACP countries towards making a comprehensive international ban a reality;
  6. Appeals to the EU to assist SADC to strengthen the region's institutional structures at the national and regional levels in order to achieve the level of productivity necessary for sustainable development, taking into account the expansion of SADC to include the Democratic Republic of Congo and the Republic of Seychelles;
  7. Re-emphasises the need for the greatest possible compatibility between an EU-South Africa, Trade regime and the Lomé trade regime applied to other SADC countries, in order to promote greater intra-regional trade and co-operation in southern Africa;
  8. Calls on the EU to effectively address the question of cumulation under the Lomé rules of origin, by clarifying the 'ad hoc' provision that could militate against the most effective utilisation of this facility to promote regional co-operation development;
  9. Calls on the EU to ensure that the proposed Trade and Development Agreement with the Republic of South Africa takes cognisance of the process underway to establish a Free Trade Area in SADC as envisaged in the SADC Trade Protocol signed in Maseru in August, 1996;



10. Reiterates its call to the EU to be cognisant of the adjustment costs that will negatively impact on the economies of the SACU and SADC partners of South Africa;
11. Reiterates its call to the EU to continue to assist the Governments of Angola and Mozambique and other affected countries of the region in the expeditious removal of landmines to enable demobilised soldiers and formerly displaced families to freely engage in expanded farming activities;
12. Encourages the Government of Angola to continue its efforts towards the peace process, and urges UNITA to solve the remaining military and other related issues in order to avoid sanctions, to contribute to the National Reconciliation and stability in the country;
13. Appreciates the initiative of the countries of the region to undertake voluntary economic restructuring and calls upon the international community, especially the EU, to provide financial and technical support for the success of this initiative;
14. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Southern Africa Development Community.

## RESOLUTION<sup>(1)</sup>

### on bananas

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - having regard to its previous resolutions on bananas, in particular those adopted on 6 October 1994 in Libreville, 3 February 1995 in Dakar, 29 March 1996 in Windhoek, 25 September 1996 in Luxembourg and 20 March 1997 in Brussels,
  - recalling the resolutions adopted in this regard by the 65th session of the ACP Council of Ministers held in Brussels from 21 to 23 April 1997, and the resolution adopted by the European Parliament at its sitting on 18 September 1997,
- A. whereas in 1996 the United States, supported by four Latin American countries (Ecuador, Honduras, Mexico and Guatemala) submitted a complaint to the World Trade Organization against the Community banana import regime, following which a special WTO group was convened,
  - B. whereas the European Commission took the matter up with the WTO's appeals body following the conclusions contained in the interim report delivered by the WTO panel on 29 April, which stated that the COM in bananas, which grants preferential treatment to ACP countries and EU regions, was incompatible with the WTO rules,
  - C. deeply concerned at the confirmation of the WTO panel's conclusions, in particular the incompatibility with WTO rules of the Community system of import licences and compensation for losses caused by bad weather conditions,
  - D. whereas calling into question these key elements of the Community system would have disastrous consequences for many ACP countries and for the European Union's producer regions, which are sporadically devastated by hurricanes,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

- E. whereas the WTO ruling does not take into account the vital importance of banana production for the ACP countries and for the EU's very remote regions in terms of export incomes, employment, infrastructure development, environmental protection and, more generally, the socio-economic development of the regions concerned,
- F. whereas this condemnation affects both the common agricultural policy and cooperation policy and could constitute a harmful precedent for the future of the Lomé agreement,
- G. whereas the world market in bananas is highly cartelized as a result of the action of multinationals, which already control two-thirds of the Community market,
- H. noting with concern that as third parties the ACP countries were not entitled to equal opportunities to pursue their interests in the WTO dispute on the regime and that it is imperative that the rules and the procedures be modified if the interest of all parties is to be protected,
- I. whereas the Community regime secured endorsement from GATT in the Marrakesh agreement of 1994,
- J. whereas the Community banana import regime was set up by Regulation 404/93 following the establishment of the internal market and is designed to organize a hitherto compartmentalized market; whereas the COM in bananas is the result of a compromise respecting the interests of the different suppliers while taking account of the Union's earlier commitments, namely Community preference, preferential access for ACP countries and GATT rules in relation to third countries,
- K. having regard to the special ties between EU countries and their African, Caribbean and Pacific partners and the Union's undertakings under the Lomé Convention, in particular the banana protocol, which seeks to guarantee the maintenance of the ACP countries' advantages on the European market, access to that market, which should not be less favourable than under the conditions experienced previously, and the improvement of the conditions of production and marketing of ACP bananas,
- L. concerned that the ACP countries' request for the case of Somalia to be treated as one of force majeure has still not been favourably considered despite the severe hardship arising from the adverse effect of the civil unrest on that country's industries,
1. Expresses concern at the difficult situation currently facing European, ACP and OCT banana producers;
  2. Calls on the European Union to recognize its responsibility and duty to show solidarity towards the ACP countries and the EU regions concerned by protecting the legitimate interests of their banana producers;
  3. Calls for the maintenance of the Community banana regime in order to safeguard the interests of producers in ACP countries, in accordance with the undertakings contained in the Lomé Convention, and of Community producers vis-a-vis major American banana companies which dominate the world market, and insists that the Commission should institute arrangements to promote 'fair trade' bananas;
  4. Urges the Council and the Commission to make an appropriate riposte based on a political commitment aimed at ensuring the maintenance of the acquired advantages and respect for the Union's prior commitments to the ACP countries, as set out in the Lomé Convention, and the protection of Community production on the EU market;
  5. Calls on the Commission to reactivate the system of technical and financial assistance granted to ACP producers, which, while not completely ameliorating the problem, has proved effective;
  6. Calls on the Commission to take appropriate measures to avoid a collapse of market prices, which would lead to a sharp fall in ACP producers' export incomes;

7. Considers that insufficient consideration has been given to the interests of small developing countries and shares the view of the Union of Caribbean banana producers that the WTO is becoming — or is already — an exclusive club for rich countries;
8. Calls on the Union to emphasize within the WTO that the Community banana regime and the related trade preferences are genuine development instruments for a large number of ACP countries and very remote EU regions;
9. Calls on the Commission to check that steps are not being taken to set up or develop situations of abuse of a dominant position in the world banana distribution system or situations contrary to Community law in the distribution of the product on the EU market;
10. Calls on the Council and the Commission to propose a revision of the WTO mechanisms and its procedures for the settlement of disputes in order to take greater account of development, social, health, cultural and environmental issues, as well as the specificities and handicaps of island ACP States, including their small size, remoteness and weak and fragile economies;
11. Calls on the Commission to provide the group of ACP producers as soon as possible with technical support to enable them to carry out the necessary analyses and negotiations vis-à-vis the WTO in the best possible conditions;
12. Urges the Commission to consider favourably the ACP countries' request for the special case of Somalia to be treated as one of force majeure;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Director-General of the WTO.

## RESOLUTION <sup>(1)</sup>

### on sugar

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - reaffirming its resolution on sugar adopted during the 24th Session held in Brussels (Belgium) from 17 to 20 March 1997,
  - recalling the resolution adopted in this regard by the 65th Session of the ACP Council of Ministers held in Brussels (Belgium) from 21 to 23 April 1997,
- A. reiterating the importance to ACP signatory States of sugar exported to the EU under the Sugar Protocol and the Special Preferential Sugar (SPS) agreement and the contribution of their sugar industries to socio-economic development, the furtherance of democracy, good governance and political stability,
  - B. recalling the mutual benefit accruing to the contracting parties from the preferential trading agreements and that ACP exports now form an integral part of the EU sugar regime,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

- C. considering the investments undertaken by signatory States in their ongoing rationalization programmes to optimize the use of by-products, ensure compliance with environmental standards and increase efficiency and competitiveness,
- D. noting with concern that the EU's restrictive pricing has continued to adversely affect the ACP and that the situation has been further aggravated by the weakening of the ECU against other major currencies resulting in a significant decline in the value of the ACP guaranteed price,
- E. concerned also that there is still no commitment from the EU regarding assistance in alleviating the burden of the high cost of inland transport and ocean freight a problem which has now been further compounded by the reduction in revenue resulting from the decline in the ECU,
1. Calls on the European Union to:
- i) fully recognize the importance of the sugar industries to the economies of the ACP States concerned and the contribution made to the socio-economic development and political stability;
  - ii) ensure that the price offered for the ACP sugar takes fully into account all elements including the efforts at rationalization as highlighted in the annual memorandum on economic factors and the decline in value of the guaranteed price resulting from agrimonetary factors;
  - iii) recognize the mutual benefit to all parties concerned derived from the preferential trading under the Protocol and Special Preferential Sugar Agreement;
  - iv) take appropriate action to assist the ACP in alleviating the burden of high transport cost and the inadequate off loading facilities at European ports of discharge as highlighted in the findings of the 1992 sugar transport cost study;
2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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## RESOLUTION<sup>(1)</sup>

### on rice

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - reaffirming its resolution on rice adopted by the 65th Session of the ACP Council of Ministers held in Brussels (Belgium) from 21 to 23 April 1997,
- A. recalling the objectives of the Fourth ACP-EC Convention of Lomé to promote trade between the ACP and the EU,
- B. considering that the Joint Declaration, Annex XXXII of the Convention, encourages greater regional co-operation between the ACP and the neighbouring Overseas Countries and Territories (OCT),

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

- C. considering also the provision for cumulation with ACP and OCTs as stipulated in the EC Council Decision No 91/482/EEC of 25 July 1991 on the association of the OCT with the EU,
- D. noting that the ACP and neighbouring OCTs have been co-operating over the years and have been able to use the trade in rice as a means of developing their industries and economies,
- E. having regard for the high priority given to trade as a medium for accelerating growth and development in ACP countries and for integrating the ACP economies into the wider global economy,
- F. concerned that safeguard measures were twice instituted against OCT rice exports to the EU in 1997 without regard to the implications for ACP rice exports to the Union despite repeated requests from the ACP for consultations on the matter,
- G. concerned also about the inordinate period it has taken for the Commission to implement the provision of the revised Annex XL which allows for an additional 15 % reduction and socio-economic development in general,
- H. emphasising the importance of the rice industry for the ACP rice-producing states, as well as for trade revenue, employment, poverty alleviation and socio-economic development in general,
1. Calls on the European Union to:
    - i) fully honour the commitment given in the Lomé Convention of promoting ACP trade with the Union and encouraging greater cooperation between ACP and neighbouring OCTs;
    - ii) implement without further delay the provisions of the revised Annex XL in order to alleviate the hardships currently being experienced by ACP rice-producing states;
  2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and to the Commission.
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RESOLUTION<sup>(1)</sup>

## on measures to alleviate economic instability

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
- having regard to the Fourth Lomé Convention as revised by the agreement signed in Mauritius on 4 November 1995,
- having regard to the Commission Green Paper on relations between the European Union and the ACP countries on the eve of the twenty-first century,
- having regard to the European Parliament resolution<sup>(2)</sup> on the Commission Green Paper on relations between the European Union and the ACP countries on the eve of the twenty-first century — challenges and options for a new partnership,

- A. mindful of the principal objectives of development cooperation policy, which are:
  - sustainable economic and social development,
  - the smooth and gradual integration of developing countries into the world economy,
  - combating poverty,
- B. whereas the destabilizing consequences of globalization, particularly financial upheavals, uneven development, high unemployment rates and social exclusion accentuate economic instability in many ACP countries and exacerbate extreme poverty and inequality,
- C. whereas the process of globalization can contribute to progress if it is regulated by political measures which take full account of the needs of sustainable development and regional diversity,
- D. whereas WTO rules prohibit any regional preference systems, and do not take into account the fact that there is at present no level playing field in the international trading system,
- E. whereas EU policies must be consistent with the objectives of development cooperation,
- F. whereas the only effective way to tackle the causes of unemployment and social exclusion is to create productive jobs, particularly in the vernacular sector, which is too often called the informal economy,
- G. concerned that developing countries' debts have increased in recent years and that servicing debts absorbs a large percentage of ACP countries' export earnings,
- H. mindful of the vital role played by modern technologies in economic and social life and bearing in mind that scientific research and technological development are decisive factors in the economic, social and cultural development of ACP countries,

1. Calls for a substantial increase in State development aid and additional funds to support diversification programmes;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

<sup>(2)</sup> OJ C 325, 27.10.1997, p. 28.



2. Considers that coherence between cooperation policies, EU actions and development objectives is essential;
3. Calls for EU trade barriers to be lowered, for less rigid rules and a more flexible and effective system of tariffs and preferences, particularly for the least developed countries;
4. With regard to trade, welcomes the Commission's proposal on differentiation within a single framework; differentiations which should be implemented through the provision of additional preferences in order to take into account the specificities of each region of the ACP Group and the particular problems and needs of least developed, land-locked and island ACP States;
5. Clearly states its intention of supporting the fight against poverty and in this connection urges that trade agreements will grant enhanced and improved preferences to the ACP States;
6. In view of the fact that WTO rules prohibit any system of regional preference, hopes that the Lomé Convention will place greater emphasis on market-dependent elements such as infrastructure and support for educational systems and economic regeneration;
7. Is convinced that combating poverty, sustainable development and gradual integration into the world economy are complementary objectives and in this respect points out the importance of participation by women, who should be prepared for the achievement of these objectives;
8. Is in favour of support measures for the informal, vernacular economy, particularly in large conurbations and with regard to training and assistance with marketing products;
9. Takes the view that the EU should provide technical assistance to the ACP countries, enabling them to improve their ability at more astute negotiation of agreements to promote emerging industries, guaranteeing regulated working conditions and a better environment;
10. Takes the view that the EU should provide technical assistance to the ACP countries to enable them to promote and use what are known as front-line technologies, which are simple to use and a means of emerging from poverty, particularly in the area of sanitation and water treatment;
11. Considers that micro-credits and public access to credit are vital factors which should be reinforced in development cooperation, particularly through ACP-EU financial cooperation which could benefit those active in the vernacular economy and small and medium-sized enterprises;
12. Calls for the launch of a major technology transfer programme to ACP countries on a non-commercial basis, together with training programmes tailored to actual needs;
13. Considers that the next Lomé convention should make provision for the protection of intellectual property in the ACP countries, whose inventions are pirated, while the sparse results of their research institutes are bought up by multinational companies, and cost prevents access by ACP countries to developed countries' patents;
14. Calls on the Member States to comply with the United Nations recommendation and devote 0,7 % of their GDP to development aid;
15. Calls on the Commission and the Member States to take action with a view to drawing up a global debt-reduction programme, particularly reducing debt through repayments in local currency, with participation by all the creditors (commercial banks, creditor countries and international institutions);
16. Calls on the Commission and the governments of the Member States and ACP countries actively to monitor, and possibly to regulate, banking practices and the interest rates charged, particularly on SMEs;

17. Points out that increased production in ACP countries should entail increased sales, and notes that most advertising broadcast in ACP countries is for imported products; therefore calls for the development of public local television and radio programmes or designated time-slots on national networks to provide free or subsidized advertising for local products;

18. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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### RESOLUTION<sup>(1)</sup>

**on peace management and conflict resolution, including measures to ban anti-personnel mines**

*The ACP-EU Joint Assembly,*

— meeting in Lomé (Togo) from 27 to 30 October 1997,

- A. concerned at the conflicts and potential armed conflicts affecting or threatening many African countries, especially in the continents' western and central sub-regions,
- B. whereas these conflicts usually take the form of civil wars or inter-ethnic clashes, are internal in origin and are rarely connected with an attack by one State on another,
- C. whereas these conflicts usually come close on the heels of disastrous economic situations and governments' failures to respect human rights,
- D. whereas preservation of peace and prevention of conflicts in ACP countries entails elimination of corruption in governance, establishment of democratic socio-political systems based on respect of human rights, popular participation, the rule of law, transparency and accountability in public function,
- E. whereas respect for human rights, democratic principles, the rule of law and good governance constitute essential elements of the revised Lomé IV Convention,
- F. whereas the Commission's Green Paper on future relations between the Union and the ACP countries states that conflict prevention should be one of the main aims of cooperation,
- G. whereas public opinion is more and more aware that the authors of war crimes cannot go unpunished but must be brought to justice; whereas, in this connection, it is essential to create, as a matter of urgency, the nucleus of an impartial international judicial body to have prime responsibility for judging war crimes and crimes against humanity wherever they have been committed,
- H. whereas the scourge of anti-personnel mines, apart from the immeasurable suffering inflicted on the victims, jeopardizes any prospect of sustainable development for the people in the affected areas,
- I. pointing out the crucial importance of the mine clearance operations agreed by the international community and the European Union in particular,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

- J. noting the significant progress achieved by the Ottawa Process towards banning anti-personnel mines,
- K. particularly welcoming the fact that the 89 countries present in Oslo in September unanimously adopted a treaty imposing a total ban on landmines, prohibiting their use, stockpiling, production and transfer and requiring them to be destroyed,
- L. deploring, however, the fact that the withdrawal of the US from the Ottawa process and the absence of a number of states which produce or utilize mines affect the impact of the treaty from the outset,
1. Recalls that the principles of 'good governance', respect for human rights and the primacy of law are the best means of preventing conflict and guaranteeing the stability of States, and that these principles should therefore be promoted and supported;
2. Calls for the establishment of international political cooperation structures with adequate and effective resources to enable them to take conflict prevention measures, initially by means of mediation;
3. Supports and encourages efforts by the OAU and other regional or sub-regional organizations in ACP countries that seek to promote dialogue and reconciliation and prevent the arising of conflict situations;
4. Is convinced of the need for closer cooperation at the highest level between the EU and the OAU, as well as with the subregional organizations such as Ecowas and the SADC, and accepts the decisions taken in this sense;
5. Calls for the provisions on security on the African continent and other ACP countries concerned to include:
- a ban on the use of landmines;
  - control and limitation of arms sales;
  - limitation of military budgets to 1 % of GDP, failing which cooperation measures will be reduced;
  - a regional system for assessing tension and preparing mediation;
  - providing ACP States with satellite information that may contribute to crisis prevention;
  - establishment of an inter-African volunteer buffer and peace-keeping force under the aegis of the OAU;
6. Notes the Council's conclusions of 2 June 1997 on conflict prevention and encourages it to pursue its action in this field, taking due account of the vital role of civil society and, in particular, the important role of women in conflict prevention and settlement;
7. Wishes matters of conflict prevention and the peaceful resolution of conflict to be the main concern of the negotiators of the agreement which succeeds the Lomé Convention; considers it essential that conflict-prevention measures should form an integral part of development aid;
8. Stresses the need to create a permanent international criminal tribunal, and calls on all the signatory states to the Lomé Convention to give their support at the UN to the creation of such a court;
9. Considers that mine clearance operations must precede any development action;
10. Welcomes the fact that 89 states succeeded in Oslo in agreeing a common text that will put a legal ban on the production, stockpiling, use and transfer of anti-personnel mines;

11. Regrets that, with the US leaving the Ottawa process, the hoped-for positive signal for a worldwide ban on the mines has not been sent;
12. Regrets that Finland and Greece were present at the negotiations only as observers, but urges them, nevertheless, to sign the treaty;
13. Considers that the Ottawa process must be continued to ensure that the new treaty acquires the universal character which it at present lacks;
14. Calls on the US, in this connection, to adhere to the Ottawa process and to sign the treaty instituting a total and immediate ban on anti-personnel mines this year;
15. Encourages all states, in particular Russia, China, Pakistan, India, Iraq and Turkey, which have not participated in the Ottawa process to date, to sign the treaty in December 1997;
16. Calls on the Council, the Commission and Member States to develop the necessary cooperation between civilian and military R & D programmes in order to foster the widespread use and diffusion of mine-detection technologies in the ACP countries;
17. Calls for a critical reexamination of relations with countries opposed to the signature of the treaty or to participate in the Ottawa process;
18. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Secretary-General of the Oslo conference and the Secretary-General of the United Nations.

#### RESOLUTION<sup>(1)</sup>

##### on Article 5 of Lomé IV — its implementation, support for human rights, democratic principles and good governance

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - having regard to Articles 5 and 366a of the Fourth Lomé Convention,
  - having regard to the Joint Assembly's previous resolutions concerning human rights, and in particular the resolution of 31 March 1993 on democracy, human rights and development in the ACP countries,
  - having regard to the European Commission's proposal on a framework procedure for implementing Article 366a,
  - having regard to European Parliament Resolution<sup>(2)</sup> on the Commission's Green Paper on 'Relations between the European Union and the ACP countries on the eve of the 21st century — Challenges and options for a new partnership',
- A. whereas respect for human rights, democratic principles and the rule of law constitutes an essential element of the Lomé IV Convention as revised in Mauritius on 4 November 1995, and development policy and cooperation are closely linked to respect for — and the enjoyment of — fundamental human rights and freedoms and the recognition and application of democratic principles, the consolidation of the rule of law and the sound management of public affairs,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

<sup>(2)</sup> OJ C 325, 27.10.1997, p. 28.

- B. whereas the ACP-EU partnership has encouraged and contributed on an international scale to greater respect for human rights and democratic principles,
- C. whereas in some of the ACP countries, progress with regard to human rights, democracy and the rule of law is accompanied by economic progress, and political conditionality is increasingly accepted as an instrument of development and as an essential component of long-term development cooperation,
- D. whereas to guarantee democratic participation by civil society and other socioeconomic performers in the process of lasting development, respect for human rights, democratic principles and the rule of law are indispensable,
- E. whereas the mere fact of holding elections cannot guarantee respect for democracy,
- F. pointing out the recent positive developments observed in Africa and particularly the progress as regards democracy and the rule of law, the improvement in economic performance and the new aspirations and behaviour of the emerging generations,
- G. regretting, however, the persistent human rights violations and blockage of the democratization process in a few ACP countries which has led the EU, after the signing of Lomé IV in 1989, to suspend its cooperation with twelve ACP countries, currently maintaining this suspension with eight of these countries,
1. Proposes that a political component be added to the Convention;
  2. Solemnly affirms its commitment to the promotion of human rights and democracy and welcomes the introduction of respect for human rights, democratic principles and the rule of law as essential elements of the Lomé Convention;
  3. Calls on the EU to define clear and objective criteria for the implementation of Article 366a of the Lomé Convention — which sets out the procedure for the suspension and the resumption of cooperation — to ensure the transparency and coherence of EU policy;
  4. Calls on the EU and ACP States to protect all the rights of nationals of EU and ACP states legally residing in their territories;
  5. Welcomes the recent positive developments observed in most ACP countries with regard to democratization and improved economic performance, and the new aspirations and behaviour of the emerging generations who wish to take development into their own hands;
  6. Calls on those ACP countries with which EU cooperation is still suspended to abide by their obligations under Article 5 of the Lomé Convention in the best interest of their populations and to avoid increased political and economic isolation;
  7. Stresses that the question of democratization must be examined, taking into account social and cultural differences, without, however, making any compromises over the fundamental principles of human rights;
  8. Considers that elections must be held in accordance with recognized international standards and must give free expression to the will of the electorate by offering it a genuine political choice;
  9. Calls for the mandatory submission of an annual report to the European Parliament, the parliaments of the Member States and the Joint Assembly;
  10. Demands that measures be taken to improve the basic education of broad categories of the population and that tomorrow's leaders of society receive specific training;

11. Recalls that the basic preconditions for democratization include the satisfaction of the fundamental social and economic needs of individuals and the existence of efficient local services, and that, consequently, financial means adapted to the mechanisms of the development of the informal sector must be established alongside actions to promote democracy;
12. Considers that independence of the judiciary, freedom of the press, the independent organization of civil society and political pluralism constitute essential components of the operation of democracy;
13. Calls on all States party to the Lomé Convention to ensure that the actions of their security forces are subject to legal accountability;
14. Urges the abolition of capital punishment by countries where it remains on the statute book;
15. Instructs its Co-Presidents to forward this resolution to the Commission and Council and to the ACP and EU Member States.

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#### RESOLUTION<sup>(1)</sup>

##### on the organization of free and transparent elections in the ACP countries

*The ACP-EU Joint Assembly,*

— meeting in Lomé (Togo) from 27 to 30 October 1997,

- A. whereas one of the main purposes of the ACP-EU Joint Assembly is to help the countries of Africa, the Caribbean and the Pacific to promote the well-being of their peoples,
  - B. convinced that the ACP States can attract private investment because they command by no means negligible natural and human resources; and that what is missing is the establishment of an adequate legal climate based on scrupulous respect for human rights, the guarantee of sustainable economic development,
  - C. whereas some African countries in favour of the establishment of democracy have seen a rise in the rate of economic growth and whereas one of the conditions for genuine democracy rests on respect for human rights and the organization of free and transparent elections,
1. Recommends that the Commission and the Council provide adequate technical assistance and financial resources to the African countries for the organization of genuine free and transparent elections;
  2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the UN and OAU Secretaries General.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

RESOLUTION<sup>(1)</sup>

## on demographic policy, reproductive health and HIV/AIDS

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
  - having regard to the Universal Declaration of Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms and the United Nations Convention on the Right of the Child,
  - having regard to its resolutions of 2 February 1995, 28 September 1995 and 20 March 1996 on the 1995 Fourth World Conference on Women in Beijing,
  - having regard to its resolution on the results of the international conference on population and development held in Cairo on 2 February 1995,
  - having regard to its resolutions on measures to prevent and combat AIDS in the ACP countries of 22 March 1996 and its resolution on AIDS of 1 October 1992,
  - having regard to its resolution of 20 March 1997 for the International Conference in Abidjan on sexually-transmitted diseases/AIDS,
- A. whereas the world population is currently approximately 6 billion and is increasing daily by some 260 000, with 95 % of this increase being accounted for by Africa, Latin America and Asia,
- B. whereas in Africa children of under five years of age represent some 14 % of the population, but sometimes account for up to 80 % of annual deaths,
- C. whereas, however, under-development is not due primarily to over-population, but to the lack of education, economic exploitation, the injustice which characterizes international relations, political oppression, violence and war,
- D. whereas every minute a woman dies of complications during pregnancy or while giving birth and almost 99 % of these 500 000 annual deaths take place in the developing countries,
- E. whereas one pregnancy in four is unwanted, and this greatly increases the number of deaths and the cases of infection and sterility due to abortions which are hazardous because practised illegally, in secret and under dangerous conditions and 35 % of cases of mothers dying in childbirth could be avoided solely by practising a method of family planning,
- F. condemning the fact that every year two million girls suffer genital mutilation,
- G. noting with regret that over 40 % of school drop-outs in Tanzania are under-age girls who have become pregnant,
- H. whereas the incidence of sexually-transmitted diseases, including AIDS, is continuing to rise world-wide and is also increasing dramatically among young people and women, and this is particularly true of Africa,
- I. alarmed that by the year 2000 at least 80 % of people carrying the HIV virus will be living in the developing countries,
- J. noting that solidarity among the Lomé partners and other states in the fields of therapeutic research, information and prevention is necessary in combating AIDS, and that this solidarity will make it possible to give patients more individual care and attention,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).



- K. whereas, owing to its social and economic consequences AIDS constitutes a serious barrier to development like traditional tropical diseases and diseases induced by poverty,
- L. whereas population policy and health care are generating promising solutions which act both directly to improve the situation of women and children, particularly as regards reproductive health, and indirectly to reduce the growth of the world population,
- M. whereas family planning is one such approach, since it allows women to determine by themselves the number of children they have and the intervals between births and means that unwanted pregnancies and age-related maternal risks can be avoided,
- N. whereas in countries where the use of modern contraceptives remains low, this is at the cost of the well-being of women and their children,
- O. whereas since the UN International Human Rights Conference in Teheran in 1968 family planning has been a recognized human right, a status confirmed once more at the international conference on population and development in Cairo in 1994,
- P. welcoming the statements made by the Government of the United Kingdom, as the next President-in-Office of the European Union, that it will consider reproductive health one of the priority areas for action during its Presidency,
- Q. delighted that there is great potential of ideas and commitment in respect of family planning projects, in particular among northern and southern nongovernmental organizations, projects which are well received by the population in question and may have great success,
- R. pleased that a family planning project in Lowero (Uganda) was able to quadruple the rate of use of contraceptives within a period of three years,
- S. whereas a significant correlation exists between the educational level of women and the time of their marriage, the birth of their first child and the number of their children.
- T. whereas the rise in the world's population has led to the increasing consumption of resources and increasing environmental pollution which are very unevenly distributed, since the population in the industrial countries consumes much more energy and raw materials and pollutes the global environment far more than the population of the developing countries,
1. Calls on the governments and civic leaders in EU states to modify economic structures and consumer habits in such a way as to avert the threat of global ecological catastrophe and the economic collapse that would follow;
  2. Calls on the EU Member States once more to increase their contributions to development cooperation and calls on the ACP States to redouble their own development efforts so as to improve the social situation of the population in the developing countries, since this will create a sounder basis for the effective implementation of family planning programmes, measures in favour of women and elementary schooling and health care, which will in turn lead to a reduction in the population growth;
  3. Demands that questions of population policy and reproductive health play a greater role in the political dialogue between the EU and ACP countries in future;
  4. Reiterates its desire that traditional and religious leaders should heighten public awareness of practices which prevent AIDS and promote responsible procreation and cooperate with the authorities with a view jointly to fostering habits and adopting legislative measures to achieve this end;

5. Calls on the Commission to reinforce the services responsible for combating AIDS in the ACP countries and to set in place a structure endowed with adequate financial, human and technical resources in order to establish a Euro-ACP network to develop methods of combating and tackling the disease in all the countries affected by the spread of AIDS as part of an integrated approach involving all the development programmes in the health, education and civic training sectors;
6. Calls on the governments of ACP and EU States to redouble their efforts to implement the final document and the action plan of the 1994 world population conference, to take into account the results of the World Conference on Women in Beijing and to notify their parliaments of the results;
7. Calls on the Commission, as a matter of urgency, to notify the Joint Assembly of implementing measures taken at EU level and in ACP-EU cooperation and, in particular, to develop and publish an EU policy guideline document on reproductive health in the developing countries and to unveil this policy in time for discussion at the next meeting of the Joint Assembly;
8. Calls on the Commission to provide the Joint Assembly with an assessment of the lessons to be learned from the ten years of the EU HIV/AIDS programme for developing countries and to present the next meeting of the Joint Assembly with a proposal for action on HIV/AIDS in the years ahead;
9. Calls on the Commission to support the establishment in several ACP countries of condom production factories;
10. Calls on the EU Member States and the European Union to make available the necessary resources in their budgets to enable them to assume their share of the world-wide costs of implementing the specific population policy measure recommendations set out in the Cairo action plan, costs, which, it is estimated, will be reach US \$17 billion annually by the year 2000, 5,7 billion of which are to be raised by financial cooperation from the donor countries; the emphasis should be on the allocation of increasing resources to reproductive health initiatives;
11. Looks to the European Parliament therefore to set aside at least ECU 8 million for population policy in the 1998 European Union's budget for 1998 (Budgetary Line B7-631);
12. Insists on the need for increased attention to be paid to population issues in development planning, and suggests that visible support should be given by politicians and senior civil servants;
13. Expects that, particularly in implementing cooperation within the framework of the Lomé Convention, some areas which are relevant to population and health policy will be seen as priorities and accordingly given priority in the authorization of projects and in future national and regional guideline programmes:
  - Women should be in a better position to make decisions on regulating their own fertility. Health care and treatment to improve reproductive health should be uniformly extended in appropriate forms, notably by mobile health services. Within the framework of the ACP-EU cooperation, a long-term plan should be set up, possibly as part of essential drug programmes, in order to ensure a reliable supply of contraceptives for families and individuals in ACP countries, with special attention being paid to the poorest sectors of the population;
  - The access of women to culture, training, jobs, loans, property, social security and political, social and economic decision-taking processes should be facilitated;
  - Measures should be taken to prevent the degradation of women to sexual objects, which occurs in a particularly despicable way through the trade in women and rape;
  - Appropriate measures should be taken to combat the crass discrimination that exists against girls;
  - All people should have access to appropriate-quality family planning services;

- In population policy and family planning services, priority should be given to protecting reproductive health. All aspects of human reproduction and sexuality, in particular measures to combat and treat AIDS and other sexually transmitted diseases and to prevent the mutilation of genitals, should be seen in the general context of physical and psychological health; emergency care for pregnant women should also be given a higher level of attention and support;
- Sizeable and sustained investments in making modern contraception available and accessible are crucial to the success of family planning programmes in developing countries;
- Measures should be taken to remedy the neglect of sex education among young people of both sexes, and to improve access to contraceptive methods and protection from sexually transmitted diseases;

14. Reiterates, however, that women's self-determination in reproductive matters and their decisions as to how many children to have form, irrespective of the cultural or religious context, a fundamental and inalienable right in all countries; considers, therefore, that women must have access to the whole range of safe, effective and morally acceptable family planning methods, while recognizing that abortion is not a method of birth control;

15. Welcomes the publication of the joint EU-World Bank report 'Confronting AIDS: Publication Priorities in a Global Epidemic' which contains the most extensive evaluation of HIV/AIDS programmes and policies in developing countries to date, and which emphasizes the responsibility of government in ensuring effective action on HIV/AIDS, and calls on the Commission to present the findings of the report to the Joint Assembly and to the European Parliament;

16. Stresses — on the tenth anniversary of the EU HIV/AIDS programme for developing countries — the importance of this programme and the need for the EU to continue to allocate sufficient human and financial resources to HIV/AIDS in the future;

17. Takes the view that in combating AIDS, it is essential that aid be focused on the following measures:

- the supply of HIV-free blood stocks linked to a ban on the uncontrolled sale of blood stocks by institutions and individuals;
- improved education and training for medical personnel, in particular regarding the storage of blood stocks and transfusions;
- the promotion of disposable needles and the free distribution of such needles, or the effective sterilization of needles;
- increased efforts to inform opinion-shapers, such as teachers, communal spokesmen and media representatives (in particular, information programmes should be carried out for radio journalists);
- measures to educate and sensitize the population, and in particular high-risk groups, including tourists, to behave responsibly, and notably to use condoms;
- a specific policy to prevent disease and to promote sex education, in particular among women and children;
- aid for the creation of consultation and care facilities;
- specific attention for HIV-infected women at a reproductive age, and pregnant women in highly endemic areas to reduce vertical transmission (mother to child);
- the promotion of all methods of preventing sexually transmitted diseases and of reducing the production, marketing and distribution costs of condoms;

18. Stresses the importance of non-governmental organizations for population policy, family planning measures, the protection of reproductive health and measures to combat HIV/AIDS, and supports the priority allocation of resources to independent organizations of this kind for the implementation of projects;
19. Calls for the inclusion of — and cooperation with — the private sector, particularly in the implementation of publicity measures and campaigns, and notably pharmacies, doctors and the retail trade and cooperation with the national, regional and local authorities;
20. Urges the relevant EU and ACP institutions actively to promote the views contained in this resolution at the forthcoming meeting on 'AIDS in Africa' (Abidjan, December 1997) and considers that the Joint Assembly should delegate its own representatives to participate at this meeting;
21. Calls for greater efforts to be made to revise and alleviate the procedures in order to facilitate access and to maximize the utilization of these resources by specialized NGOs at national, regional and international level;
22. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council of Ministers and the Commission.

# RESOLUTION <sup>(1)</sup>

## on the follow-up to the Rio Earth Summit

*The ACP-EU Joint Assembly,*

- meeting in Lomé (Togo) from 27 to 30 October 1997,
- having regard to the outcome of the nineteenth special session of the United Nations General Assembly (UNGASS), variously referred to as Rio +5 and Earth Summit II, held in New York from 23-27 June 1997 to review progress achieved since the first Earth Summit, held in Rio de Janeiro in 1992,
- having regard to the Commission Communication on a common platform: guidelines for European Union preparation for the United Nations General Assembly Special Session to be held in New York in June 1997 to review Agenda 21 and related outcomes of the United Nations Conference on Environment and Development held in Rio de Janeiro in June 1992 <sup>(2)</sup> and to Parliament's resolution thereon of 14 March 1997,
- having regard to the Environment Council's conclusions concerning the guidelines for the EU's preparation for the United Nations General Assembly Special Session (UNGASS) at its meeting of 9 December 1996, and the Environment Council's further conclusions at its meeting of 19 June 1997,
- having regard to the European Parliament resolutions of 13 February 1992 on EC participation in the United Nations Conference on the Environment and Development (UNCED) and on the need for a convention on the protection of forests,
- having regard to the conclusions of the UN Conference on Environment and Development in Rio de Janeiro in June 1992,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 30 October 1997 in Lomé (Togo).

<sup>(2)</sup> COM(96) 0569 — C4-0656/96.

- having regard to the resolutions of the ACP-EU Joint Assembly on climate change and on reducing greenhouse gas emissions of 6 October 1994, 2 February 1995, 28 September 1995, 22 March 1996, 26 September 1996 and 20 March 1997,
- A. whereas the just distribution of global wealth, changes to wasteful production and consumption patterns and an improvement in the world environment referred to in Agenda 21 have not taken place,
- B. whereas the environment both within, and outside, the EU has continued to deteriorate (greenhouse gas emissions are rising, deforestation has continued, poverty in the world has increased, overseas development aid has declined); whereas the pursuit of business as usual is most unlikely to result in sustainable development in the near future,
- C. whereas Rio gave positive signals to the world, and the EU in particular was constructive in pledging financial support for the implementation of Agenda 21 in the south; whereas, in the meantime, the polarisation between developed and developing countries has not diminished; whereas, many of the financial commitments given have, with very few exceptions, yet to be honoured,
- D. whereas, in order for southern countries to be involved in solving global environmental problems, northern countries (OECD) must make a major effort, given that two-thirds of toxic waste is produced by the North,
- E. whereas the preparations for the Earth Summit II in the UN Commission for Sustainable Development (CSD) showed that a major signal from the industrialised world was needed to create a new momentum for sustainability,
- F. whereas industrialized countries have to take the lead in environmental performance, working to encourage changes in consumption and behaviour patterns at home, developing and using environmentally sound technologies and making them available to developing countries,
- G. whereas most industrialized countries undertook to allocate 0,7 % of their GDP to public development aid,
- H. whereas poverty and under-development continue to be a cause of environmental deterioration; whereas sustainable development is about empowerment; whereas recognising, valuing and enhancing the role of women and the contribution of indigenous peoples, as well as respect for human rights, are crucial means towards that end,
- I. whereas, although the wide-ranging scope of the sectoral and cross-sectoral negotiations at UNGASS (freshwater resources, forests, energy, transport, climate change, atmospheric pollution, toxic chemicals, waste, land and sustainable agriculture, desertification and drought, biodiversity, sustainable tourism, natural disasters, eradication of poverty, consumption and production) is to be welcomed, it is alarmingly clear that, unless current negative trends in these areas are halted and reversed, there will be potentially disastrous consequences for economic and social development, for health and environmental protection, in developing and industrialised countries alike,
- J. whereas the CSD has been reconfirmed as the body responsible for the continuing reappraisal of Agenda 21; whereas the United Nations Environmental Programme (UNEP) should be strengthened and reconfirmed in its role,
- K. whereas the participation of the countries of the South in the resolution of the world's environmental problems calls for a major effort by the countries of the North (the OECD),
1. Considers that implementation of the undertakings made in Rio in 1992 is more than ever necessary and that sustainable development must become a priority in terms of political options and serve as a basis for the world economy's guiding mechanisms;

2. Calls on the EU to play, or continue playing, a pioneering role in international negotiations with a view to sustainable economic and social development and the reduction of global environmental pollution;
3. Stresses that the EU was the only major regional group of countries at New York to push consistently for global protection and sustainable development and, in the context of the forthcoming Third Conference of the Parties (COP 3) to the UN Framework Convention on Climate Change in Kyoto in December 1997, to present a clear strategy for reaching agreement;
4. Recalls in this context its call to the Commission and Council (in its resolution of 14 March 1997 referred to above) to pursue a mandate for negotiations after Kyoto intended to involve all Parties to the Convention in a common approach to climate change from the year 2000, as this will be an essential component of any Kyoto package;
5. Urges industrialized countries, and in particular the OECD members, to honour the undertakings made at the Rio Conference by effectively raising their financial aid for developing countries to 0,7 % of their GDP;
6. Calls on the EU and its Member States to work towards a substantial reduction in the debt burden of the least developed countries, given that the repayment of their debt places too much pressure on their national economies;
7. Notes that, whereas the Rio Earth Summit raised high expectations about the possibility of tackling global environmental and development problems, UNGASS highlighted the fact that, on key issues such as climate change, financing and forest in particular, there is still a long way to go to achieve significant progress;
8. Regrets the fact that despite the intensive and unrelenting negotiations undertaken among the various nations and groups of nations at UNGASS, it is abundantly clear that the positions of the developing countries and the industrial world on many of the above issues are still far apart and that there is a lot of controversy between these groups;
9. Warmly welcomes the EU's negotiating position for Kyoto, where clear targets for greenhouse gas emission reductions are outlined — a 15 % reduction vis-a-vis 1990 by the year 2010, and an interim target of at least 7,5 % by 2005 although this is only a first step to the necessary reduction; and expresses its hope that the EU will continue to be a driving — and unifying — force in the Kyoto negotiations and beyond Kyoto into the next century;
10. Calls for joint action by the EU and the ACP countries within the WTO to regulate world trade on the basis of ecological and social considerations so that new criteria can be adopted;
11. Condemns exports to southern countries of a number of dangerous products which are prohibited in industrialized countries on grounds of public health, protection of ecosystems or safety;
12. Calls for a binding bio-safety protocol to be adopted with a view to regulating the genetic engineering market worldwide;
13. Calls for the adoption of a form of intellectual property recognizing the rights of the peoples of the South over their genetic resources;
14. Considers that a moratorium should be declared on the release into the environment of genetically modified organisms, pending the results of studies on their long-term effects on health and the environment;
15. Calls on the EU and the ACP countries to continue measures to combat desertification and to implement rapidly the decisions of the UN Convention on combatting desertification;

16. Deplores the destructive role played by many other OECD states like Japan, Australia, New Zealand and until the end of the New York Conference also the USA; urges these states to subscribe to legally binding commitments that are identical to those made by the European Union;
  17. Expresses disappointment at the destructive role played by China and other big G77 countries; and deplores the fact that the AOSIS states, although members of G77, and the ACP countries had only little influence on the UN negotiations;
  18. Supports the initiatives taken at the UNGASS meeting in favour of convening a conference on management of water resources and access to water, on the one hand, and sustainable urban development, on the other;
  19. Emphasises the importance of subsidiarity in the process of implementing sustainable development so that all the different actors in civil society are included and empowered;
  20. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the governments of the signatory states of the Lomé Convention and the United Nations.
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RESOLUTION<sup>(1)</sup>

## on the situation in Bougainville

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - having regard to its resolutions of 1 October 1992 and 20 March 1997 on the crisis in Bougainville,
  - having regard to its resolution of 6 October 1994 on assistance for victims of the volcanic eruptions in Rabaul (PNG),
  - having regard to the report on the mission to Papua New Guinea, including Bougainville, and the Solomon Islands<sup>(2)</sup>,
- A. noting that nine years of war, and the economic blockade, resulting in the collapse of the economy, the almost total disappearance of services and the degradation of infrastructure, means that a major rehabilitation, reconstruction and development programme for Bougainville is urgently needed,
- B. believing that the Bougainvilleans themselves must be fully involved in all aspects of the rehabilitation and reconstruction effort, with the political, financial and technical support of the central government and of the international community,
- C. noting that Rabaul, which was largely destroyed by volcanic eruptions in 1994, is the main port for the island regions of PNG, including Bougainville, that most of the materials required for the rehabilitation, reconstruction and development of Bougainville will pass through Rabaul, and that the condition of Rabaul port will impact on the transshipment of supplies for Bougainville,
- D. having regard to the Burnham Truce of July 1997 and the Lincoln Agreement of January 1998,
1. Welcomes the cessation of violence on Bougainville following the Burnham Truce of July 1997, and warmly congratulates all parties on their strict adherence to the terms of the Truce;
  2. Acknowledges the Central contribution of New Zealand to the peace process, as well as the essential roles of Prime Minister Skate of Papua New Guinea, Prime Minister Ulufa'alu of the Solomon Islands, the leaders of the Bougainville Interim Government (BIG), the Bougainville Revolutionary Army (BRA), the Bougainville Transitional Government (BTG), the Bougainville Resistance Movement and civil society on Bougainville;
  3. Recognises the vital part played by women in the peace process, without which the process would not have happened;
  4. Pays tribute to the professionalism, objectivity, sensitivity and tact of the Truce Monitoring Group (TMG) composed of unarmed military personnel and civilians from New Zealand, Australia, Fiji and Vanuatu, which ensures observance of the Truce, and disseminates news of the peace process throughout Bougainville;
  5. Notes that the TMG is prevented from entering a 10 km exclusion zone around Panguna; calls on all elements in the BIG, BRA and all other parties on Bougainville to give the TMG free access to all parts of the island;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

<sup>(2)</sup> AP/2333.

6. Deeply regrets that, to date, Mr Francis Ona, President of the BIG, has not taken part in the peace process and has not signed either the Burnham or Lincoln agreements; calls on Mr Ona to engage positively in the peace process in the very near future;
7. Is most aware of the fact that the question of the political future of Bougainville was not addressed at either Burnham or Lincoln; calls on the EU and its Member States, the UN and the international community, to support and encourage all the parties involved to accept compromises; calls on the Papua New Guinea Government to grant the largest possible degree of autonomy to Bougainville, and on the BIG and BRA to accept PNG institutions that would devolve real and meaningful powers, including policing and fiscal powers, to the Bougainville Reconciliation Government to be constituted following the elections scheduled for late 1998;
8. Calls on the EU, its Member States, and the ACP countries, to provide political and material support for the future Bougainville Reconciliation Government; requests the Commission to investigate the possibility of providing assistance to the 1998 election, and to the Bougainville Reconciliation Government, from the budget lines for democratisation and human rights;
9. Decides to accept any invitation it might receive to monitor the elections to the Bougainville Reconciliation Government, thereby expressing its solidarity with the peace process and with the new Bougainville administration;
10. Notes the real feeling of optimism that prevails on Bougainville after nine years of war, but is aware that peace has not yet been achieved, is convinced that it is absolutely necessary that the people of Bougainville be made to see that peace brings tangible benefits; consequently calls on the European Union and its Member States, and on all potential donors, to contribute immediately to the reconstruction and rehabilitation of the economy and infrastructure of Bougainville so that the people of the island, and particularly the young people, can obtain education and gainful employment;
11. Recognises that it would not be economically viable for Panguna mine to reopen as equipment and infrastructure have deteriorated irrevocably and the remaining ore is of low grade; thus short-term economic recovery cannot be mineral-led;
12. Notes that areas of highest priority for assistance should be:
  - the economy, particularly the rural economy/agriculture, so that the people of Bougainville can start working again,
  - infrastructure, including the rehabilitation of the road around the island, and feeder roads,
  - education, including the rehabilitation of primary, secondary and technical schools, basic school furniture and equipment, and the provision and training of teachers,
  - health, in particular primary health care;
13. Believes that the principal vector for economic recovery must be the agricultural sector; calls for immediate assistance from the international community, and particularly the EU and its Member States, in this sector;
14. Notes that some 6 million Kina (3,8 mECU) is currently available for Papua New Guinea from Stabex transfers and that a further 5 mECU will shortly become available; calls on the Commission and the Government of Papua New Guinea to mobilise these funds as soon as possible for the rehabilitation of the agricultural sector on Bougainville, including cocoa production, the provision of micro-credits for small holders, and the improvement of feeder roads so that agricultural inputs can be acquired and products marketed;
15. Calls on the Government of Papua New Guinea to make clear its intentions regarding the use of Stabex and other funds for the rehabilitation, reconstruction and development of Bougainville;

16. Calls on the Commission and the Government of Papua New Guinea to devote a disproportionate amount of that country's financial envelope under the 8th EDF to Bougainville, notably for rural development, including cocoa, copra and the pig sector, infrastructure including roads and port facilities, water schemes and women's associations;
17. Calls on ECHO to investigate the possibilities of assisting, through NGOs, the rehabilitation and development of the health sector, including the provision of medicines and assistance with health centres and clinics, as well as public health and nutrition programmes;
18. Calls on NGOs to provide the people of Bougainville with basic building materials, including nails and tools, and, initially, assistance with children's clothing, as some children are unwilling to go to school because of lack of clothes;
19. Urges the Government of Papua New Guinea to give a firm commitment that it will make available all the components of each programme or project that it is required to provide, and that all counterpart funds will be forthcoming in good time;
20. Emphasises the vital importance of total transparency in the allocation and utilisation of all funds and other assistance that will be made available for Bougainville, so that it can be clear to all, and in particular to the Bougainvilleans, that all aid has gone to where it was intended;
21. Stresses the importance of the EU and its Member States coordinating fully with other donors, notably New Zealand, Australia, Japan, the US, the World Bank and the UN Agencies, so as to maximise the effectiveness of aid;
22. Calls on the EU and its Member States to contribute out of the EU Budget to a special development fund for Bougainville that could be set up;
23. Calls on the EU, its Member States and the ACP countries to consider providing financial and material assistance to the international Peace Monitoring Group (PMG) that should replace the Truce Monitoring Group whose mandate ends with the coming into effect of a permanent cease-fire at midnight on 30 April 1998;
24. Notes with satisfaction that the Truce, which has already brought about peace, will be formalised and strengthened by the signature of a permanent cease-fire;
25. Urges the EU, its Member States and the ACP countries to use their influence in the United Nations, and notably with the Security Council, to press for the sending of a UN Observer Mission to Bougainville to monitor and support the peace process;
26. Recalls that the war on Bougainville had extremely serious consequences for the rest of Papua New Guinea, and for the Solomon Islands; encourages the European Union, its Member States, and the international community to bear this in mind when processing requests for assistance from PNG and the Solomon Islands; is particularly conscious of the need for additional assistance to the northern areas of the Solomons, notably Shortland and Choiseul, which suffered heavily during the Bougainville crisis, and which had to accommodate some 5000 Bougainvillean refugees during the fighting;
27. Pays tribute to the people of Bougainville, and to all the parties involved in the peace process, for their courage, forbearance and tolerance, while reminding them that even more of these characteristics will be required during the negotiations on the political future of the island; emphasises that the pace, and the subsequent rehabilitation and reconstruction effort, must belong fully to the people of Bougainville;

28. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Governments of New Zealand, Australia and Japan, the South Pacific Forum and the United Nations.

# RESOLUTION<sup>(1)</sup>

## on support for requests for derogations under Protocol 1 of the Lomé IV Convention

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - having regard to the deliberations of the follow-up group on fisheries in the context of the Lomé Convention,
  - having regard to the resolution on fisheries in the context of ACP-EEC cooperation, adopted in Brussels (Belgium) on 7 October 1993,
  - having regard to the resolution on ACP-EU cooperation in the fisheries sector beyond the year 2000, adopted by the ACP-EU Joint Assembly on 29 October 1997 in Lomé (Togo),
  - mindful of the relevant sections of, and annexes to, the Lomé Convention, in particular, Articles 58 to 68 and Annexes LXV to LXVII,
- A. recalling that the purpose of derogations is to allow ACP States which cannot fulfill the rules of origin of Protocol 1, to nevertheless benefit from the preferences of the Convention when exporting their products to the EU,
- B. conscious of the importance of the fishing sector to the economies of a number of ACP States, especially in the earnings of foreign exchange and the creation of sustainable employment,
- C. realizing that a discontinuation of the derogation might have a disruptive effect on investment, foreign earnings and sustainable employment in a number of ACP economies,
- D. recognizing the effects of global changes in climatic conditions on the movement of migratory fish stocks and their impact on a number of ACP canneries which heavily depend on the availability of qualifying vessels to supply them with tuna,
1. Reminds ACP States that any request for a derogation (including for a renewal) must first be transmitted by the interested ACP State, who shall act on behalf of its country's firms, to the Secretariat of the ACP States in Brussels, who shall in turn submit such a request to the EC Co-Chairman of the Customs Cooperation Committee;
2. Recalls ACP States that derogations are given to a country and not to a business concern in order to ensure that the request is coherent with the trade and investment policy of the ACP State concerned;
3. Reminds ACP States that requests for derogation are examined by the Customs Cooperation Committee in accordance with Articles 30 and 31 of Protocol 1 concerning the definition of the concept of originating products and methods of administrative cooperation, which also stipulate the socio-economic and country specific factors which should normally be considered;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

4. Reminds ACP and EU States of the stipulation in Article 31(5) of Protocol 1 on the Rules of Origin that the concerns of least developed and island ACP States should be examined with a favourable bias;
5. Draws the attention of the ACP States to Article 31 (8) which provides for the granting of an automatic derogation, upon request, of an annual quota of 4 000 tonnes of canned tuna and an annual quota of 500 tonnes of tuna loins, once the Lomé IV Convention as revised by the agreement signed in Mauritius enters into force;
6. Requests the Community to continue to uphold the spirit and letter of the joint declaration on the rules of origin;
7. Stresses in particular, that the Community should willingly examine with an open mind and in a positive spirit requests for derogations from the rules of origin for the relevant processed products;
8. Calls upon the Customs Committee to take all necessary measures to avoid interruptions in the application of the derogations in accordance with Article 31(9) and (10);
9. Requests the Community to assist the ACP States in establishing the type of monitoring and surveillance programmes which would be necessary to definitively ascertain the source of the fish produced, so as to reduce the frequency of differences of opinion over the origin of products;
10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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## RESOLUTION<sup>(1)</sup>

### on sugar

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - reaffirming its resolution on sugar adopted during the 25th Session held in Lomé (Togo) from the 27 to 30 October 1997,
  - recalling the resolution adopted in this regard by the 66th Session of the ACP Council of Ministers held in Libreville (Gabon) on 3 November 1997,
- A. considering that the ACP States signatory to the Sugar Protocol are partners in the EU cane sugar refining industry, thus guaranteeing a reliable supply of significant quantities of raw material to EU Sugar refineries,
  - B. noting that the ACP sugar producing States, with few exceptions, are net food importing, developing, least-developed, land locked or island states with peculiar economic and social difficulties and rely on sugar revenue for their socio-economic development,
  - C. noting also that ACP countries have been using the earnings from exports to the EU in their rationalization programmes to improve efficiency, increase productivity, optimise the use of by-products and generally enhance their level of competitiveness,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

- D. whereas the revenue earned from sugar exported under the Sugar Protocol contributes to the development of the ACP supplying States and hence assists in reducing the economic disparity between the two partners,
- E. recognizing the multi-functional nature of the sugar industry to ACP supplying States, its role in environmental protection and rural development,
- F. recognizing also that the viability of ACP industries depends on a reasonable return on the ACP's investment in their industries,
- G. reaffirming that the ACP supplying States are committed to the rationalization of their industries to become globally competitive and recognizing that there is a need to ensure that the peculiar situation of developing countries is taken fully into account in the globalization process,
1. Calls on the European Union to:
    - i) ensure that every effort is made to defend and maintain the preferential trading agreement and hence honour the commitment given to the ACP under the Sugar Protocol;
    - ii) acknowledge the role of ACP sugar industry in the EU refining industry and recognize the mutual benefit derived from the preferential trading under the Protocol and Special Preferential Sugar Agreement to all parties concerned;
    - iii) recognize the efforts made by the ACP at rationalization as highlighted in the annual memorandum on economic factors and ensure that the price offered for ACP sugar takes fully into account all relevant factors and that it contributes positively to the viability of ACP industries;
    - iv) acknowledge the multi-functional nature of ACP sugar industries and that the price paid for ACP sugar ensures that EU refineries obtain a reliable supply of sugar, while contributing to the reduction of the economic disparity between the two partners as well as ensuring environmental protection and rural development in ACP supplying States;
  2. Instructs its Co-Presidents to forward this Resolution to the ACP-EU Council and the Commission.

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## RESOLUTION<sup>(1)</sup>

### on rum

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
- reaffirming its resolution on rum adopted by the ACP-EU Joint Assembly at its 24th session held in Brussels (Belgium) from 17 to 20 March 1997,

- A. recalling the trade objective of the Lome IV Convention of promoting trade between the ACP and the Community and considering the importance of trade as an instrument of development for the ACP States,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).



- B. considering the importance of the rum trade with the EU to the economies of the ACP rum producing States and that the rum industry is a major foreign exchange earner and employer of labour thus contributing to socio-economic development and political stability of the States concerned,
- C. noting that Protocol 6 on Rum of the Fourth Lome Convention provides for duty-free entry of ACP rum into the EU, but considering that unlike other industrial products, rum has been subjected to quantitative restrictions which retarded the development of traditional trade flows between the ACP States and the EU,
- D. considering that the quota system was only partially abolished in January 1996 and that the March 1997 Memorandum of Understanding with the USA for the elimination of duties on certain spirituous beverages eroded the ACP preferences in rum trade,
- E. considering that the ACP rum producers have also been facing competition from other products labelled as rum and have made substantial investments in the development and marketing of their product within the constraints of the quota system which to a large extent restricted their trade to low margin bulk rum,
- F. noting that the ACP have intensified their promotion campaign to develop a market for the higher quality branded rums and would require the continuation of the current Lome IV preferences for an extended period before they could compete in a tariff free market with rums from other regions,
1. Calls on the Community and its Member States to:
- i) fully honour their commitment under Protocol 6 on Rum in the Fourth Lome Convention and also extend the preferences beyond 2000 to permit the ACP to develop their traditional trade flows with the EU to its full potential;
  - ii) honour the commitment of the mid-term review of the Lome IV Convention and abolish the quota system on ACP 'traditional' rum by 31 December 1999;
  - iii) honour the Declaration given in the context of the EU/US Memorandum of Understanding and ensure that the interests of ACP rum producing States are not adversely affected by any agreement with third countries and their competitive position is maintained in the market;
  - iv) maintain and index the pricing mechanism of the EU/US Memorandum of Understanding retaining the tariffs on low-priced rum and EU duties on non-ACP rum thereby safeguarding the ACP against competition from third country suppliers;
  - v) ensure that adequate resources are provided for marketing support to assist the ACP in the promotion and expansion of sales on the Community market, and maintain strict enforcement, without derogations, of EU rules limiting commercial use of the term 'rum' as described in Article 4 of Council Regulation (EC) No 1576/89;
2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION<sup>(1)</sup>

## on bananas

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
- recalling its previous resolutions on bananas, in particular those adopted on 6 October 1994 at Libreville, 3 February 1995 at Dakar, 22 March 1996 at Windhoek, 25 September 1996 at Luxembourg, 20 March 1997 at Brussels, and 30 October 1997 at Lomé,
- recalling the resolutions adopted in this regard by the 66th Session of the ACP Council of Ministers held in Libreville (Gabon) on 3 November 1997,
- recalling the complaint lodged in 1996 by the United States and four Latin American countries against the Community banana import regime,
- A. extremely concerned that the WTO Panel has ruled that certain aspects of the banana regime are not compatible with international trade rules since such a ruling threatens to undermine the economic and social progress of the producer States and regions which depend on the regime to safeguard access to the EU market,
- B. concerned also about the implications of the WTO ruling for the wider ACP and the future of their preferential trading under the Lomé Convention,
- C. considering that any major modification to the regime could disrupt the banana trade and result in the loss of a very large number of jobs, a fall in export earnings and the collapse of some economies with severe social and economic consequences for the countries and regions concerned,
- D. whereas, following the outcome of the WTO appeal, the Commission proposed an amendment to the regulation setting up a common organization of the market in bananas (EC 404/93) by way of compliance and whereas these amendments substantially alter marketing conditions for traditional ACP and European suppliers,
- E. whereas the Commission's proposals do not provide for any compensatory measures to absorb the effects of the abolition of B licences on producers,
- F. having regard to the second part of this proposal, which aims to provide financial and technical aid to traditional ACP banana suppliers to help them to adapt to the new system on the basis of a phased reduction over a period of ten years,
- G. urging that consideration be given to the ACP's position on the proposed modification to the regime and that pursuant to Article 12 of the Lomé IV Convention, full consultation be held with the ACP before a final decision is taken on the matter,
- H. recalling that when it was introduced the COM for bananas was based on a compromise which respected the interests of the various sources of supply, while taking into account the Union's previous commitments, namely Community preference, preferential access for the ACP countries and the rules of GATT with regard to third countries,
- I. reminding the Commission that the European Union is bound by commitments it has entered into with the ACP countries under the Convention of Lomé, and in particular, Protocol No 5 thereof, which aims to guarantee to the ACP states the preservation of their advantages on the European market, access to that market on terms which cannot be less favourable than those which they enjoyed previously, and the improvement of production and marketing conditions for ACP bananas,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

- J. whereas existing distortions in terms of social and environmental standards are giving rise to substantial competitiveness gaps between ACP or European producers on the one hand and Latin American producers on the other,
1. Expresses the utmost concern at the situation in which ACP and European banana producers find themselves;
  2. Calls on the European Union to face up to its responsibilities and to its duty to display solidarity towards the ACP countries and the Union regions concerned by providing better protection for the legitimate interests of their banana producers;
  3. Calls on the Council and the European Parliament to ensure that the commitment to producers is honoured by guaranteeing that Community production is safeguarded and that access to the EU market for ACP bananas and the advantages they enjoy on that market are maintained in order to provide a viable return to producers and adequate time for the States concerned to restructure their economies and adapt to the changing circumstances;
  4. Proposes the setting up for the ACP countries, including non-traditional suppliers, of a regime endowed with suitable resources which can be swiftly mobilized and are capable of covering operating costs, over a period sufficient to enable them to adjust to the new market conditions and proposes, with regard to Community producers, an increase in the earnings guarantee appropriate to the new market regulations;
  5. Recalls that the ACP countries have difficulty in competing with third country suppliers on the EU market and that the tariff on the autonomous quota should therefore be maintained at zero for ACP supplies;
  6. Notes that the ACP accepts the proposal for a global quota but insists that there be a guarantee of access for all traditional suppliers as listed in the Annex of Regulation EEC 404/93;
  7. Urges the Commission to consider the ACP's position on the proposed modification of the regime and ensure that consultation is held with the ACP on the matter in accordance with Article 12 of the Lomé IV Convention;
  8. Calls on the Union to argue within the WTO that the Community banana regime and the relevant trade preferences are real development instruments for the relevant ACP countries and for the outermost regions of the Union;
  9. Asks the Commission to give particular consideration to the question of fair-trade bananas and to give them suitable treatment on the market;
  10. Calls on the Council and the Commission to propose the revision of the WTO's mechanisms and disputes settlement procedures in order to make greater allowance for development issues, social, health and environmental issues and the specific characteristics and handicaps of the ACP States and the outlying island regions;
  11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and WTO.
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RESOLUTION<sup>(1)</sup>

## on the situation of refugees in the ACP countries in the context of humanitarian aid policy

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
- having regard to its resolution on the situation of refugees in the ACP countries in the context of humanitarian aid policy, adopted in Windhoek (Namibia) on 20 March 1996,
- A. having regard to the proliferation of regional armed conflicts which engender massive movements of refugees and displaced persons, often by force, within their country and bring about extreme poverty and human insecurity,
- B. whereas the number of persons forced to flee from their places of origin has been steadily increasing, particularly in Africa, and whereas, according to the latest estimates of the High Commissioner for Refugees, the number of refugees in Africa is nearly 4,4 million and the number of displaced persons close to 2 million,
- C. whereas certain ACP States are unable to guarantee their population security and fundamental rights and whereas the massive inflow of refugees places a burden on the host country's political, economic and social structures which is often difficult to bear and potentially a cause of instability,
- D. whereas the EU is the leading international donor of humanitarian aid,
- E. regretting that the proposals put forward by the Commission with a view to the negotiations for new agreements between the Union and the ACP countries devote only an extremely limited attention to the refugee question,
- F. whereas it is absolutely imperative to set up a strategic and structured liaison mechanism between the three phases of emergency, rehabilitation and development,
- G. whereas a humanitarian aid policy may raise major ethical concerns because in several ACP countries, the UN agencies and humanitarian NGOs are confronted with severely insecure situations which sometimes lead them to suspend their operations in certain regions or countries,
- 1. Reaffirms the crucial role of humanitarian action and congratulates ECHO on the prominent role it plays in granting this aid, which benefits refugees in particular;
- 2. Reiterates its belief that the consolidation of democracy and respect for human rights are universal values and objectives to be achieved universally as well as fundamental principles capable of establishing the conditions for individual and collective security which, combined, prevent the emergence of floods of refugees and displaced persons;
- 3. Believes that the policies aiming to improve the economic situation, reduce discrimination towards ethnic, religious or social groups, promote respect for human rights and the principles of good governance and to prevent the breakout of armed conflicts constitute the best means of preventing refugee flows from arising in the future;
- 4. Calls on the ACP States to create favourable conditions to eliminate the underlying causes which lead people to flee their countries, to ensure that they return to their country of origin, to end forced displacement of populations and find a lasting solution to this phenomenon;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

5. Calls on the European Union and the ACP countries to make fresh efforts in the area of preventive action to ensure that natural or political events do not give rise to crisis situations in the field of refugees, and approves the proposals made in this connection by the European Parliament;
6. Calls on the European Union and the ACP countries concerned to give concrete form, within the ACP-EU Council of Ministers, to an increased commitment to the problems of refugees and possible ways of contributing to a gradual reduction in their numbers;
7. In view of the vulnerability of refugee populations, calls for particular attention to be given to the progressive reduction of their state of dependence and exhorts the host countries to guarantee the physical protection and safety of refugees and displaced persons;
8. Insists on the need to take particular account of the rights of child refugees, who are often alone or orphans, and also stresses the fundamental importance of the role played by women in refugee communities;
9. Calls on the Commission and the Member States to strengthen cooperation and coordination in this sector in order to avoid wasting aid and to ensure the utmost transparency and operational efficiency;
10. Calls on the Commission and the Member States to set up the necessary mechanisms to ensure continuity between the three phases of aid, i.e. emergency, rehabilitation and development, and to report regularly to the Joint Assembly;
11. Urges the Commission and the Council, in negotiating the new cooperation agreements which will link the Union and the ACP countries from the year 2000, to take account of the needs of refugees and displaced persons and give this crucial issue the attention it deserves;
12. Calls on the Commission to submit, as soon as possible, a proposal for 'European Code of Conduct', setting out the conditions for the implementation and deployment of humanitarian aid in optimal conditions of security for humanitarian personnel;
13. Pays tribute to the untiring efforts of the specialized UN agencies, in particular the HCR and Unicef, and the contribution which the EU provides through ECHO; emphatically supports the role played by the NGOs in assistance to refugees, evacuees and repatriated persons, and stresses the importance which must be attached to their independent and original approach, which involves promoting human development;
14. Calls on the ACP States receiving humanitarian aid to guarantee the security in the field for the staff of agencies and NGOs operating on their territory;
15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN High Commissioner for Refugees, the International Committee of the Red Cross and the OAU.

RESOLUTION<sup>(1)</sup>

## on the code of conduct on arms exports, anti-personnel mines and the Ottawa process

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - having regard to the Treaty on European Union and in particular the provisions thereof relating to the CFSP,
  - having regard to the proposal of the British Presidency on the establishment of a code of conduct on arms exports,
  - having regard to its previous resolutions on land mines,
- A. recalling that the conflicts and risks of armed conflicts which threaten numerous African countries not only infringe fundamental human rights, but give rise to disastrous socio-economic situations,
  - B. recalling that the existing common EU criteria governing arms exports, agreed by the Council in 1991-1992, are being applied by each individual Member State according to its own interpretation and did not prevent the flow of arms from EU Member States to countries which abuse human rights, to regions of instability and military aggressors,
  - C. noting with satisfaction that the Code of Conduct for exports of arms to third countries not respecting human rights or to regions at war has been considered one of the priorities of the new UK Presidency and that several Member States have indicated that they are in favour of its adoption, but regretting that this proposal does not provide for binding procedures,
  - D. likewise concerned that the Code in its current form will have no material impact on military exports to regions of instability, countries which, in accordance with established UNDP-criteria, spend excessively on the military and countries which abuse human rights, in particular concerned that the draft does not deal explicitly with the sales of light weapons,
  - E. convinced that any Code of Conduct will be all the more successful when the other main arms exporters, such as the USA, but also the Russian Federation and China, agree to similar rules,
  - F. having regard to the Treaty banning anti-personnel mines signed in Ottawa by 121 states, including all the Member States of the European Union except Finland and a large number of ACP states, and which comprises a ban on the manufacture, stockpiles, export and use of anti-personnel mines,
  - G. deploring the fact, however, that the principal landmine producing countries, including the United States, Russia, China and India, do not figure among the signatories to this Treaty,
  - H. also deploring that only very few countries have ratified the Ottawa Treaty, whereas 40 ratifications are required for the entry into force of that treaty,
  - I. believing it indispensable that the anti-personnel mines issue should more than ever be a key concern of the negotiators of the new agreement between the European Union and the ACP States,
1. Welcomes the initiative of the British Presidency to include among its priorities the introduction of a code of conduct on arms exports to countries which fail to respect human rights or to regions at war;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

2. Notes with satisfaction that several Member States have declared themselves in favour of adopting this code of conduct and requests the ACP countries to support this initiative;
  3. Insists that the present proposals are insufficient and therefore calls on the EU Member States and the Governments of the ACP countries to include in such Codes measures to establish efficient end-user control systems, and to ensure that the practices of the brokering of arms transfers are efficiently halted, and urges that no arms would be exported to States which do not comply with the UN Arms Export Register;
  4. Therefore, insists that the proposed Code of Conduct applies to exports and licenced production of a comprehensive list of military goods and technologies, while narrowing as much as possible the scope for member states' interpretations with regard to the granting or denial of individual export licences and especially that it includes a clear undercut mechanism;
  5. Calls on the EU Presidency to make the revision of the EU Action Programme for Preventing and Combating Illicit Trafficking in Conventional Arms a priority for action; insists that the Council lives up to its promise made in June 1997 to revise the existing programme within a year and agrees a concrete, proactive and effective programme for action;
  6. Welcomes the recent advances enshrined in the Ottawa Treaty and calls on the signatory countries, and the Member States of the European Union and the ACP States in particular, to arrange for its ratification at the earliest opportunity;
  7. Calls for a critical review of cooperation with states refusing to sign the Treaty or take part in the Ottawa process;
  8. Believes that there is now a need to revive the dialogue with the non-signatory States to ensure that this new agreement is endowed with the universal validity which it lacks;
  9. Urges the European Union to strengthen considerably its financial and other support for programmes of mine-clearance, victim-assistance and rehabilitation and takes the view that that assistance must not benefit countries which have failed to subscribe to firm commitments in favour of a ban on anti-personnel mines;
  10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the signatories of the Ottawa Convention.
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RESOLUTION<sup>(1)</sup>**on women's role in the popular economy in the ACP countries, and the importance of microcredits in development policy**

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - having regard to Article 153 of the Lomé Convention which sets out the commitment of the European Union and the ACP countries to enhancing the status of women, improving their living conditions, expanding their economic and social role and promoting their full participation in the production and development process,
  - having regard to the final declaration and the action platform of the Fourth World Conference on Women of 15 September 1995 in Beijing,
  - having regard to the Joint Assembly's resolution on the World Conference on Women in Beijing, in particular and on the role of women in the development process, in general, which was adopted on 28 September 1995 in Brussels,
  - recalling the EU Council resolutions on integrating gender issues in development cooperation of 20 December 1995 and on micro-financing of 28 November 1997,
- A. whereas women play a key role in the popular economy in that, in Africa for example, they accounted for 60 % of output in the informal sector and 70 % in the agricultural sector, though at the same time have only very restricted access to material production factors and services,
- B. whereas most food (more than 70 % in Africa) is produced by women in small-scale subsistence farming which, owing to a shortage of resources and infrastructure and lack of knowledge, is frequently characterized by environmental damage such as deforestation, soil erosion and water pollution, etc.,
- C. whereas, for various reasons, an increasing number of women have sole responsibility as the head of the household for themselves and their children and therefore far more threatened by total poverty in contrast to families with a male partner,
- D. having regard to the consciousness-raising value of equitable and solidarity-based trade, as a community-oriented interpretation of market rules based on cooperation between citizens,
- E. deploring the failure of the Commission to give proper support to local urban economies or to equitable and solidarity-based trade and its lack of a global policy for sectors that encourage innovative entrepreneurial attitudes, frequently with women as key players,
- F. whereas local urban economies are one of the few sectors in the ACP countries which offer the economically least-favoured strata of the population access to employment and an income,
- G. whereas in its various forms the local urban economy is a highly flexible phenomenon, with the capacity to protect traditional production and marketing techniques and integrate elements of technical innovation,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

H. regretting in this context, however, that only a small number of the proposals for EDF funding can yet be described as WID-specific or WID-integrated,

1. Considers it imperative that women are involved in all development policy measures on an equal basis as knowledgeable citizens from planning through to implementation and monitoring, as they frequently have more practical knowledge, e.g. in agriculture, street trading and food production;

2. Stresses that satisfactory growth and successful combatting of poverty can only be achieved if mainstreaming is made one of the central principles of the new cooperation policy between the EU and the ACP countries;

3. Stresses the need to eliminate gender-specific discrimination in the courts and in social, political and economic contexts and, in the interest of sustainable development, to give women equal access to economic resources and involve them in political, economic and social decision-making processes at all levels, from local through regional and national to international;

4. Stresses, in this context, the fundamental value also of supporting the smallest private initiatives and calls for equal access for women to credit, the acquisition or renting of land etc. as it has been proved that women are successful small entrepreneurs given the appropriate opportunities for development;

5. Expects that the 'mainstreaming' approach will be introduced contractually in all areas of future ACP-EU cooperation and the necessary instruments will be created to strengthen women's rights as regards equal access to education, training and job opportunities and their participation on an equal footing in all economic, social and political decision-making processes;

6. Believes that the supply of micro-financing can usefully contribute to the fight against poverty but that it constitutes only one of the many instruments available to sustainable development and cannot exempt donor countries from their obligations in respect of solidarity and development cooperation or be substituted for macro-economic or social policies in the beneficiary countries;

7. Calls on the Commission and the Council, in negotiations on future ACP cooperation, to develop new strategies which explicitly emphasize the strength of women as potential for sustainable development and involve women as major players;

8. Stresses that the Commission should incorporate measures to promote the economic independence of women in all its current development programmes, in particular training in manual skills, marketing and processing and the communication of efficient know-how and granting of small loans and micro-credits which should preferably pass through the local womens' organizations, as a driving force for successful initiatives to achieve economic independence and an upturn in economic activity;

9. Calls for adequate financial and technical support to be extended to entrepreneurs in the popular economy — and women in particular — which provides more than half the population of most of the countries in the South with a livelihood, remedies the failings of the State in many sectors and creates jobs; considers that it is the entrepreneurs in this genuinely mass economy who must be helped to form associations, acquire training, manage their businesses, secure financing and equipment and establish sound relations with the public authorities, particularly as regards taxation and employment legislation;

10. Calls on the Commission and Council to take active steps to promote equitable and solidarity-based trade by means of direct aid to production projects in the ACP countries, and to ensure the guaranteed certification of the products of such equitable and solidarity-based activity;

11. Calls on the ACP governments to encourage the spread of projects for equitable and solidarity-based trade in their countries, especially via improved information and administrative facilities;
12. Welcomes the fact that the financial proposals put before the EDF committee show visible improvement in that 80 % of applications now include the form which takes into account gender-specific aspects and which is based on the criteria laid down by the OECD's Development Aid Committee and calls for all applications to be processed in that manner without exception;
13. Calls on the Commission to take appropriate initiatives to coordinate gender-specific development policies between the Union and the Member States and to set up a data bank which contains a complete survey of the position and status of women and their significance in the economy of each individual ACP State supplemented by relevant gender-differentiated statistics;
14. Calls on the Bureau to consider the appropriateness of appointing vice-presidents of the Joint Assembly Bureau responsible for women in development;
15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

# RESOLUTION <sup>(1)</sup>

## on democratization and conflict prevention

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - having regard to Articles 5 and 366a of the Fourth Convention of Lomé,
  - having regard to its previous resolutions on human rights adopted in 1993 and in October 1997,
  - having regard to the communication from the Commission to the Council and the European Parliament on democratization, the rule of law, respect for human rights and good governance: the challenges of the partnership between the European Union and the ACP States <sup>(2)</sup>,
- A. reaffirming its total support for the principle of the universality of human rights, which is enshrined in a single international legal framework whose content was reaffirmed in the conclusions of the 1993 UN Vienna Conference,
  - B. whereas respect for human rights, democratic principles, and the rule of law is a corner-stone of the revised Fourth Convention of Lomé and whereas development policy and cooperation are closely linked to the full exercise of fundamental human rights and freedoms,
  - C. whereas the political dimension of the ACP-EU partnership occupies a key place in the Commission's draft negotiating brief for the future Convention and whereas democracy, human rights, the rule of law, and good governance are thus central to the future Convention,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

<sup>(2)</sup> COM(98) 146.

- D. having regard to the new prospects which are opening up for a fair number of ACP States countries in which democracy, the rule of law, and the protection of fundamental freedoms are taking root,
- E. deploring, however, that human rights violations are continuing and the democratization process has been stalled in certain ACP States, a fact which has prompted the Union to suspend its cooperation with a number of these States,
- F. recalling the recent OAU resolutions adopted at Tunis and Addis Ababa, and the adoption in Cairo in March 1995 of an Agenda for Action in which that organization intended to endow itself with a conflict prevention body,
- G. whereas Africa made a valuable contribution to the November 1997 Libreville ACP Summit and the Final Declaration thereof by submitting a document on protection and promotion of human rights, democratic principles, and the rule of law,
- H. whereas the establishment of an international criminal tribunal (ICT) is a crucial step towards building democracy and an international community based on law and respect for rights and whereas such a tribunal is an essential element of any conflict prevention policy,
- I. welcoming the fact that an increasing number of States are becoming involved in the process of setting up the TPI and the UN Preparatory Committee has made progress in its work,
1. Maintains that EU-ACP cooperation must foster dialogue on values such as human rights, democracy, and the rule of law both within its joint institutions and in civil societies;
  2. Recalls that respect for human rights, the acknowledgment and application of democratic principles, the consolidation of the rule of law, and good public governance are all essential features of the Convention of Lomé; notes that political democratization cannot succeed unless the resulting systems also satisfy the social and economic needs of the peoples affected;
  3. Welcomes the fact that conflict prevention and the peaceful settlement of disputes are among the issues to be dealt with by the parties negotiating the future Convention; calls, therefore, for discussions to be opened with the ACP States on security, focusing more particularly on a ban on landmines, mine clearance programmes, arms sales, future regional conflict monitoring centres, and a new African intervention and conflict prevention force;
  4. Emphasizes the need to set up international structures for political cooperation endowed with sufficient and effective resources enabling them to take action to prevent conflicts; accordingly supports the efforts being undertaken by the OAU in this area;
  5. Is convinced of the need to intensify top-level cooperation between the European Union and the OAU and with subregional organizations such as the ECOWAS and the SADC;
  6. Notes with interest the Commission communication seeking to clarify the concepts of human rights, democratic principles, and good governance, bearing in mind that it will help to intensify debate in the ACP countries and prepare for the discussions on the future EU-ACP partnership agreement;
  7. Calls on the ACP States whose cooperation with the Union is still in abeyance to honour the obligations entered into under Article 5 of the Convention of Lomé in order to foster the wellbeing of their peoples and ensure that they are not driven into deeper political and economic isolation;
  8. Calls on the ACP States and the EU Member States to work actively to ensure the success of the forthcoming diplomatic conference on the establishment of the ICT (to be held in Rome in July 1998);

9. Stresses that the future TPI must be able to operate without being influenced by the actions of the UN Security Council and that the future statute of the ICT should impose an obligation on States to cooperate fully with the Tribunal;

10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the United Nations.

### RESOLUTION <sup>(1)</sup>

**on support for democratization in Africa and conflict prevention through a European code of conduct for arms exports**

*The ACP-EU Joint Assembly,*

— meeting in Port Louis (Mauritius) from 20 to 23 April 1998,

— having regard to its previous resolutions on conflict prevention and arms control,

- A. whereas monitoring of the arms trade is an essential step to prevent conflict and to strengthen democratic institutions,
  - B. whereas so far very little has been done to adopt and implement a Code of Conduct on arms export able to give transparency to this market,
  - C. whereas the Code of conduct should associate the ACP countries in the framework of political cooperation and aim at a common effort in prevention of conflict and protection of new democracies,
  - D. whereas the UK and French governments have taken the initiative to establish an EU Code of Conduct on arms sales and have circulated a draft proposal for such a code, with the intention of securing agreement at the General Affairs Council in May,
  - E. whereas the UK/French proposals are not setting the common standards high enough, as they leave room for subjective interpretation, provide weak consultation mechanisms, make no reference to parliamentary scrutiny, and contain no provisions for controlling third party brokering and end-use,
  - F. whereas the Code therefore in its current form risks having weak material impact on arms exports to regions of instability and countries which abuse human rights,
1. Believes that an effective conflict prevention policy must be based, inter alia, on a transparent and monitored arms trade;
  2. Believes that democratic institutions, especially in Africa, are seriously threatened by illegal or obscure arms trade and must be protected by clear and transparent rules;
  3. Believes that the ACP/EU partnership is a privileged framework for cooperation on a prevention conflict policy which includes a Code of Conduct on arms trade;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

4. Welcomes the initiative to establish a code of conduct for arms transfers as well as the intensive negotiations which are taking place to arrive at an agreement during the British Presidency, as a first actual step towards an instrument of crucial importance for a conflict prevention policy;
5. Calls on the Council and the EU Member States however to improve the draft proposal by agreeing on consultation mechanisms which ensure that *all* Member States and the ACP countries concerned are swiftly informed of approvals and denials of export licences, and that any Member State or ACP state intending to undercut a decision by another not to issue an export licence is obliged to inform and consult with all other Member States about this intention;
6. Calls on EU and ACP Member States to ensure that the export guidelines clearly state under which precise circumstances export licences should be denied and that licences will not be granted for the export of equipment which may be used for internal repression, torture and other human rights violations;
7. Calls on EU and ACP Member States to agree a comprehensive list of military and dual-use goods to which the Code will apply which includes all conventional weaponry and ammunition, police and paramilitary equipment and services;
8. Welcomes the proposal by the Italian Government to draft an annual report on the application of the Code and to organize an annual debate on the arms export control policy;
9. Urges European and ACP Member States to ensure transparency and parliamentary scrutiny of all arms exports and imports by providing their parliaments, or parliamentary committees, in advance, with a list of all sensitive export licences applied for;
10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

## RESOLUTION<sup>(1)</sup>

### on the situation in the Great Lakes Region

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - having regard to its previous resolutions on the situation in the Great Lakes region,
  - having regard to the recent report to the EU Council by the EU special envoy to the Great Lakes Region, Mr. Ajello,
- A. whereas the consolidation of democratic regimes in all the countries in the region is fundamental to the settlement of internal conflicts and confrontations in each of the states concerned and a condition of effective international cooperation,
  - B. deeply concerned at the persistent instability in the Great Lakes Region, particularly in Burundi and Rwanda, where continued ethnic killings and massacres, abductions and other violence continue,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

- C. concerned at the imprisonment of editors of various newspapers in the Democratic Republic of Congo,
- D. deploring that EU and ACP countries do not always provide full support to the Arusha tribunal despite the crucial role that it is playing in terms of both avoiding impunity for the Rwanda genocide and preventing further violence in the region,
- E. welcoming the laudable efforts of the Rwandan government to reconstruct, develop and set the country on the path towards democratic governance,
- F. concerned to note that the UN fact-finding mission has been recalled,
- G. aware of the importance of justice being administered within a reasonable period of time to promote reconciliation, peace and a stable society,
- H. concerned at the implications of the slow progress of court proceedings owing to a lack of resources and the delays in proceedings at the International Criminal Court for Rwanda and other countries which have initiated legal proceedings against those suspected of genocide and crimes against humanity,
- I. having regard to UN Resolution 872 and Article 16 of the rules of engagement of the United Nations relief mission to Rwanda (UNAMIR) and the agreement on the seat of the mission, which provides for a standing complaints committee to be set up by joint agreement between the UN and the Rwandan government,
1. Calls on the governments of Rwanda, Burundi and the Democratic Republic of Congo to adopt the necessary measures to enable the democratic parties and representative social movements to participate in political life;
  2. Notes that the poverty of the survivors is almost ignored, eclipsed by subjects with more media appeal;
  3. Is deeply concerned at the revelation of fresh evidence and other reports calling into question the role which certain countries allegedly played in the genocide in Rwanda;
  4. Appeals to all political leaders in Burundi to participate in the negotiations initiated by ex-President Nyerere of Tanzania, so as to reach a political, democratic and peaceful settlement of the crisis;
  5. Notes the decision of the Summit of the regional Heads of State, on 21 January 1998, in Kampala (Uganda) to maintain the sanctions imposed on Burundi;
  6. Calls on the Commission and the Member States to focus their activities in the context of cooperation in the region on the restoration and strengthening of democratic institutions and on education in human rights;
  7. Calls on the government of Rwanda and Burundi to introduce, as soon as possible and in order to avoid fresh confrontation, measures to protect all the population and its various ethnic components and to establish legal guarantees for future political participation;
  8. Urges the Commission to increase humanitarian aid to cater for the refugees and displaced persons in the Great Lakes Region;
  9. Welcomes the activity of the International Tribunal for Rwanda, despite the very difficult circumstances in which it has to carry out its mandate, being it an essential element for securing the region, prevent further violence and avoid impunity through the respect of the law;
  10. Calls on the Council and ACP and EU Member States to extend full cooperation to the activity of the Arusha Tribunal;



11. Calls, in particular, on the European Union to resume development cooperation with Rwanda, continuing the funding of agreed projects which have been abandoned since 1994;
12. Calls on the European Union to support initiatives to step up and broaden the scope of legal proceedings in Rwanda as the main means of clearing up the backlog of cases resulting from genocide and crimes against humanity, relegating the politico-judicial approach to a secondary role;
13. Calls on the International Criminal Court for Rwanda to revise its procedures so as to accelerate the indictment of suspects and to adopt a strategy of organizing collective trials which, nevertheless, guarantee the individual's right to a defence;
14. Endorses the initiative of the Prime Minister of Ethiopia accepted by the OAU concerning the setting up of a committee of eminent figures to shed light on the causes of the genocide in Rwanda with the aim of contributing to the education of the next generation,
15. Urges the international community and, in particular, the UN Secretariat-General to use all legal means possible to set up the standing complaints committee provided by the agreement on the seat of UNAMIR in Rwanda;
16. Urges the international community to condemn any support for those suspected of genocide and, in particular, to refrain from rearming them and setting up networks to facilitate their clandestine infiltration into certain countries;
17. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the OAU.

# RESOLUTION<sup>(1)</sup>

## on Congo (Brazzaville)

*The ACP-EU Joint Assembly,*

— meeting in Port Louis (Mauritius) from 20 to 23 April 1998,

- A. recalling that since 1993 the Congo has experienced a series of events and bloody confrontations which have culminated in the emergence or strengthening of various militia, frequently on an ethnic basis,
  - B. having regard to the need to revive the democratic process in the country,
  - C. worried about the violations of human rights in Congo since the war,
  - D. deploring the lack of an initiative by the Council with regard to the crisis in Congo,
  - E. concerned at the risks of destabilization in an already afflicted region,
1. Believes that only the holding of free, democratic and internationally monitored elections can enable the democratic process in the country to be continued;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

2. Calls on the United Nations and the OAU to make fresh efforts at mediation with a view to promoting a dialogue which might enable democracy to be restored;
3. Calls on the Council to act unanimously and help the Congolese authorities to keep up their efforts towards genuine national reconciliation with all of the country's political and social organizations;
4. Calls on the Commission to set aside its aid to Congo for the improvement of the living conditions of the poorest strata of the population, the holding of elections within the prescribed time limits, boosting national reconciliation and continuation of the democratic process in conditions of transparency and compliance with international conventions;
5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations, the OAU, and the authorities of Congo.

# RESOLUTION <sup>(1)</sup>

## on the situation in Somalia

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - having regard to its previous resolutions on Somalia,
  - having regard to the declaration by the EU Presidency of 26 December 1997,
- A. whereas Somalia has been ravaged by civil war for more than 7 years, during which the population has endured appalling hardship,
  - B. having regard to the persistence in Somalia of a serious political, socio-economic and humanitarian situation calling for the fullest commitment from the international community and the forces in the region to action to eliminate its causes and contribute to creating new conditions which will permit the revival of civil society and law and order and the resumption of development,
  - C. whereas, although no final agreements have yet been reached permitting the country's political and institutional reconstruction, there have been numerous peace talks and dialogue meetings over the last few months, with agreements being reached in some cases between the various factions in Somalia,
  - D. whereas the main Somali factions signed a peace agreement on 22 December 1997 in Cairo; regretting, however, that the factions in the north of the country are not signatories to that agreement,
  - E. whereas that agreement provides for the maintenance of the status of Somalia as an independent and indivisible state,
  - F. whereas certain countries and supranational bodies have played a positive role in helping create relations of dialogue between the parties; welcoming these efforts, which should be as closely coordinated as possible with each other on a basis of impartiality,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

- G. whereas while acknowledging the positive inputs of certain countries in the search for durable peace for Somalia, nonetheless expresses that multiplication of uncoordinated initiatives has proved more harmful than helpful by imparting conflicting signals for the contending parties, thereby eroding the spirit of consensus and ultimately undermining the painstakingly constructed peace process,
- H. whereas a national reconciliation conference bringing together delegates from all the political and military factions is to lay down the procedure for setting up these institutions,
- I. whereas the process of peacemaking should not be left only to politico-military forces but must as a matter of principle include and accord prominent roles for all segments of Somalia civic society such as clan elders, religious groups, women and peace groups,
- J. deploring to date the fact that the various Somali factions continue to show lack of political will and wisdom to subordinate petty personal differences and the quest for power to the overriding objectives of their people and nation and have preferred to gamble on the future of their country by squandering several golden opportunities, thereby exposing Somalia to continued political paralysis and human misery through conflict, economic deprivation and vagaries of nature,
- K. deploring the failure to date to create the conditions for full membership of Lomé IV and access to the resources of the Seventh and Eighth EDFs for Somalia,
- L. whereas Somalia has been allocated resources under two rehabilitation programmes and from a number of EU budget headings,
- M. whereas the great efforts exerted by the IGAD member states need to be further supported by the international community and the EU by endorsing and supporting the international conference on Somalia called by the Head of the IGAD member states during their summit at Djibouti on 15-16 March 1998 and emphasizing that all segments of Somali society be also represented; whereas the necessary funds should be allocated by the EU from the unspent balance of funds for Somalia from Lomé II and III, and from the much delayed UN Somalia Trust Fund,
- N. having regard to the torrential rain over the south of the country which has claimed several hundred victims and destroyed all crops in the region,
- O. whereas there appear to be serious and real risks of major epidemics, shortages, malnutrition and health problems for the population between Mogadishu and the southern border with Kenya,
- P. whereas Somalia is a traditional ACP producer and exporter of bananas, and whereas talks are under way on a new WTO regime for bananas and new rules for technical aid and assistance to banana-producing ACP countries,
- Q. whereas within a few months the negotiations for the renewal of the Lomé Convention will begin, and Somalia, owing to the persistence of its particular internal situation, risks not being able to take part actively or to safeguard its own interests,
1. Welcomes the recent developments in the negotiations for peace and national reconstruction, and hopes that these will mark an important step on the road to defining the political and institutional bases which will finally give Somalia the conditions for attaining stability, peace and development;

2. Calls on all the factions who are signatories to the peace agreement to ensure the de facto implementation of the amended Cairo agreement and to participate in joint efforts to restore a climate of security and non-violence in the country;
3. Welcomes the diplomatic efforts made by several states in the region to bring about a negotiated settlement to the Somali conflict;
4. Calls on all Somali political forces to refrain from any action which could damage the peace process and to work for national reconciliation;
5. Calls on all countries to coordinate their initiatives and efforts with the IGAD member states, the IGAD Partners Forum member countries and the OAU with a view to strengthening the spirit of consensus and accommodation, thereby avoiding duplication of efforts and multiplication of confusion which has often resulted in splintered approaches;
6. Emphasizes that civil society and the grass roots be fully accommodated in the peace process and that they be accorded a prominent role and empowered to play a leading and dominant role in the peacemaking process and consolidation afterwards;
7. Calls on all Somali factions to listen to the various international calls that the salvation of Somalia rests on their making bold sacrifices on compromise and accommodation, on severely curbing personal ambitions and coming to the rescue of their people who have today become a voiceless society in the international community;
8. Calls on the OAU, UN and EU to endorse the call by IGAD member states for an 'International Conference on Somalia' in which all segments of Somali civic societies will fully participate and allocate all necessary funds in particular from unspent Lomé funds for Somalia and the to-be-established Trust Fund for Somalia by the UN;
9. Offers its full support to the EU's commitment to implementing aid and rehabilitation programmes in Somalia; regrets, nonetheless, that no mechanisms have yet been found to enable Somalia to benefit from the resources of Lomé IV (under the Seventh and Eighth EDFs);
10. Calls on the European Union to strengthen its humanitarian aid plan for the Somali population with particular regard to assistance to the victims of the floods in the south of Somalia and substitute food aid for the region;
11. Regrets that in the absence of a central political authority, the humanitarian agencies and the NGOs operating in the field have been confronted with situations of extreme insecurity which have led them to withdraw from certain regions of the country;
12. Stresses the key role played in recent years by NGOs in Somalia, and considers that they must continue their functions of liaison with the local communities and identification of their real needs;
13. Considers that regional development projects are of major importance for the consolidation of the peace process and for support for the communities of the region, and calls on the Commission to continue and develop those projects;
14. Considers it essential to ensure the full political participation of Somalia in Lomé IV and the successor agreement;

15. Calls on the EU to take urgent action to aid the Somali communities which have been affected by the floods and restore, as swiftly as possible, all the conditions which will allow the agricultural population to return to work immediately, thus reactivating the sole productive activity in those agricultural areas which guarantees an income, employment and economic support;

16. Calls on the Commission to take urgent steps to provide structural support measures for the revival of agricultural activity, including the supply of machines, agricultural equipment, drainage pumps, fertilizers, seeds and whatever else is required for the immediate resumption of farming;

17. Calls on the Commission and Council, in view of the forthcoming changes to the WTO banana regime and the rules for aid to ACP banana producers, to take due account of the particular and dramatic situation in Somalia, with a view to genuinely protecting, reactivating and developing banana production; calls, in particular, for Somalia to be guaranteed, even for the future, the continued existence of a fixed individual quota for banana exports, backed up by the possibility, for the hundreds of small producers in Somalia, of benefiting immediately from all the financial and technical advantages offered by the new provisions and the existing Community rules;

18. Calls on the interested parties in Somalia to create, in cooperation with the EU, representative bodies for the certification of origin of products intended for export to the EU, with particular reference to bananas; calls on the Commission to provide all necessary technical, financial and political assistance to this end;

19. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN, the OAU, IGAD and the government of Somalia.

## RESOLUTION<sup>(1)</sup>

### on the situation in Sudan

*The ACP-EU Joint Assembly,*

— meeting in Port Louis (Mauritius) from 20 to 23 April 1998,

— recalling its previous resolutions on the on-going civil war situation and human rights violations in Sudan,

- A. convinced that a just and lasting resolution of the conflict can only result from a comprehensive and all-inclusive political process undertaken by all parties to the conflict,
- B. aware of the pending dry season offensive that will increase human suffering, particularly among civilian communities in the war-torn areas of Sudan,
- C. disturbed to see that the Sudanese Government is forcibly conscripting civilians in order to deal with the proliferation of fronts due to the violent offensive by the opposition; shocked in this regard by the arrest of hundreds of people who have tried to evade such conscription,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

- D. equally shocked by the public floggings and humiliation of mother's protesting against the forceful conscription of their children and male relatives into military training camps, an act which has already been condemned by the UN as constituting inhuman treatment,
- E. gravely dismayed by the failure of the NIF government of Sudan to comply with the requests of the Central organ of the OAU Mechanism for Conflict Resolution and its sheer contempt for the resolution of the UN Security Council urging Sudan to extradite to Ethiopia the three men allegedly involved in the attempt to assassinate President Mubarak,
- F. alarmed by the fact that the NIF Government forces have started closing Catholic Schools and have already taken over and confiscated the building of the Roman Catholic club in Khartoum and concerned by the recent decision to destroy four catholic schools in the North-Khartoum district of Barakri,
- G. concerned that humanitarian agencies are on many occasions denied access to provide humanitarian aid needed in the war zones and perturbed at Sudan's defiant attitude to repeated warnings by the international community,
- H. shocked by the deliberate and calculated policy of the NIF government to starve to death an estimated 100 000-150 000 people by denying them both food and medication as a result of its ban on UN relief flights to Bahr el Ghazel,
1. Supports the IGAD initiative as the most authoritative, appropriate and promising platform to reach political solution to the ongoing civil war in the Sudan on the basis of the Declaration of Principles now adopted by all parties in the conflict;
  2. Calls for an immediate cease-fire and urges, once again, all parties to the Sudan conflict to genuinely search and establish a lasting peace that will halt the human suffering in Sudan;
  3. Supports the just cause of the people of Sudan, both North and South, and their struggle for the realization of their basic political, democratic, civil and religious rights, under the leadership of the National Democratic Alliance (NDA), which represents all political forces in the country, both traditional and new, except the NIF;
  4. Asks the International Community and the EU in particular to support the IGAD peace process and to assist the Sudanese people in rebuilding their country when peace is finally established;
  5. Calls on the EU to maintain sanctions and not to resume development cooperation as long as the government of Sudan is in gross violation of human rights;
  6. Condemns all forms of terrorism and urges the NIF government of Sudan to refrain from training, supporting and sheltering terrorists in and outside its territory and, in particular, to put an end to its policy of destabilization towards neighbouring countries;
  7. Calls on the Sudanese Government to act on UN Security Council Resolutions 1058 and 1070, by ratifying and implementing the UN Convention against torture and other cruel, inhuman or degrading punishment or treatment, safeguarding human rights, respecting the rights of religious minorities, releasing unconditionally all political prisoners;
  8. Condemns the forced recruitment of youngsters by all parties to the conflict and also strongly condemns the public flogging, humiliation and the infliction of degrading treatment as well as torture on women and opponents by the NIF government of Sudan and urges all parties to the conflict to abide by human rights obligation;

9. Calls for increased humanitarian aid for the population in the areas affected by hostilities, in particular the population in the areas controlled by the NDA, not only in the South of the country but also in the Blue Nile region and the eastern provinces of the country;

10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN, the OAU, IGAD and the Government of Sudan.

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### RESOLUTION<sup>(1)</sup>

#### on the situation in Angola

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - having regard to the European Union declarations of 11 April 1997 and 15 September 1997,
  - having regard to UN Security Council resolutions 1127, 1135, 1149 and 1157,
  - recalling its previous resolutions on the war situation, and the peace process in Angola, especially that of 30 October 1997,
- A. reaffirming that the international community and the EU must continue to fully support the Angolan peace process launched in 1994 with the Lusaka agreements,
- B. whereas, three years after being signed, the Lusaka agreement has still not been implemented in full, and whereas after being blocked many times, namely with UNITA failing to comply with the 28 February deadline, causing considerable delays in the implementation of the Lusaka peace agreements, the peace process has developed more positively in the most recent weeks, particularly thanks to the impetus given by the United Nations special representative, Mr Alioune Blondin Beye,
- C. whereas, further to the adoption by the Joint Commission, on 9 January 1998 of a new agreement on the timetable for implementing the Lusaka Protocol, tangible progress has been achieved on both sides but remains to be confirmed by 30 April 1998, the date of expiry of the Protocol,
- D. noting the very recent advances involving, in particular, the appointment of governors and vice-governors, the demobilization of generals, and the promulgation of the special status of the UNITA chairman on 20 March 1998,
- E. whereas the government has now declared the legalization of UNITA,
- F. whereas UNITA has published its declaration of total demobilization and has demobilized its senior officers but whereas, according to the survey carried out by the United Nations, some 1 200 UNITA troops remain to be demobilized,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).



- G. still extremely concerned, however, at the fact that the process of demobilization has still not been completed and that thousands of weapons are still in circulation in the country,
- H. recalling the importance of the role played on the ground by the United Nations missions UNAVEM and, more recently, MONUA,
- I. noting with concern the still prevailing climate of suspicion between the government and UNITA and the adverse effects that it might have on the peace process,
- J. having regard to the severe economic and social plight of the Angolan people following the civil war, and recalling the threat represented by the large numbers of anti-personnel mines scattered throughout Angola,
1. Reaffirms its attachment to the full implementation, in a spirit of national reconciliation, of the peace agreements and the Lusaka Protocol and calls on the Angolan government and UNITA to honour their undertakings under these agreements by 30 April, with the requisite good will and good faith;
  2. Appeals to the international community, and to the European Union in particular, at this critical final stage of implementation of the Lusaka Protocol, to contribute to consolidation of the achievements of the peace process and to encourage the Angolan government and UNITA to commit themselves resolutely to lasting peace, stability and development for the sake of all of the Angolan people;
  3. Calls upon UNITA to abide strictly by its obligations under the Lusaka Protocol, in particular by implementing the nine-point plan agreed on 9 January 1998 concerning the implementation of the Lusaka Protocol, in particular:
    - the rapid disarming and demobilizing of the remainder of its troops to be confirmed by a UNITA declaration;
    - the completion of the extension of the central state administration;
  4. Stresses the need for further efforts to integrate UNITA, as a political party, into Angolan society, including the participation of its leader in politics, expecting that that decision signifies a real and irreversible commitment by UNITA to the Lusaka Protocol and the peace process;
  5. Notes the efforts made by UNITA to speed up the demobilization of its troops, thanks to which it is possible to contemplate the handing back to the government of the towns still under its control and reiterates its conviction of the vital importance of launching aid programmes for the reintegration of all demobilized soldiers into normal civilian life, to enable them to earn their living;
  6. Calls on UNITA to complete the demobilization of all of its troops and the handover of the towns and villages which remain under its control within the prescribed time limits and requests the Angolan State to guarantee protection for its nationals throughout its territory, including the territories handed back, and to implement, in respect of all citizens, the fundamental principles of the rule of law;
  7. Requests the Angolan authorities, with the financial and technical support of the international community, to speed up the reintegration into civilian life of demobilized soldiers and the disarmament of the civilian population, since the consolidation of peace and stability in the country will be largely dependent on the successful completion of those operations,
  8. Appeals to the international community and the European Union in particular to continue to support the peace process in Angola; requests the United Nations Security Council in particular to extend yet again the mandate of the United Nations observation mission in Angola, MONUA to ensure that a strong UN presence remains until the Angolan conflict has been definitively settled;

9. Appeals to the whole international community to contribute the financial and technical assistance necessary for infrastructure rehabilitation, landmine clearance operations and, more generally, to stimulate economic activity; in this connection emphasizes Angola's enormous and urgent needs in terms of schools, hospitals, road infrastructure and essential equipment;
10. Emphasizes the need to take account, in the reconstruction and rehabilitation operations, of the serious problems posed by the reuniting of the families of combatants and the occupational reintegration of demobilized persons;
11. Calls on the Commission and the United Nations to give financial encouragement to the NGOs which are actively involved in landmine clearance on Angolan territory and proposes the setting-up of information programmes for the public and programmes to train national specialists;
12. Appeals to all of the donor countries to grant financial support which is commensurate with the task of reconstruction of the country and enables economic activity in Angola to be revived on the basis of reforms aimed at introducing a market economy;
13. Calls on all African countries to refrain from accepting on their territory any action which might undermine the consolidation of peace and to refuse to allow their infrastructure to be used for any purpose the aim of which is the continuation of the armed conflict in Angola;
14. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN, the OAU, the Government of Angola and UNITA.

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#### RESOLUTION<sup>(1)</sup>

##### on the situation in Sierra Leone,

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - having regard to United Nations Security Council Resolution 1132,
  - having regard to its previous resolutions on Sierra Leone,
- A. whereas human rights, the organization of free and transparent electoral processes and good governance form the backbone of cooperation between the ACP countries and the European Union,
  - B. whereas credible elections have made Mr Ahmed Tejan Kabbah the head of state in Sierra Leone,
  - C. having regard to the economic sanctions imposed by the Economic Community of West African States (ECOWAS) which were taken over by the United Nations Security Council in a bid to persuade the perpetrators of the coup to find a peaceful settlement to the crisis,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

- D. welcoming the regional efforts of the ECOWAS through the West African Intervention Force that brought down the military regime of major Johnny Paul Koroma and restored the democratically elected President Ahmed Tejan Kabbah,
- E. deploring the numerous civilian casualties caused by the hostilities, and the rapid decline in the humanitarian situation in the country,
- F. whereas this confrontation has prompted several thousand Sierra Leonean civilians to leave for neighbouring countries, in particular the Republic of Guinea,
1. Welcomes the return to power of the democratically elected President and calls on him to create bases for consolidating democracy and political stability in his country;
  2. Calls on President Kabbah to conduct a peaceful negotiation with all political and civil society actors, in order to lay the ground for a sustainable peace settlement to the country's crisis, based on democratic principles and respect for human rights;
  3. Calls for the safety of the personnel of NGOs and international humanitarian organizations represented in Sierra Leone to be guaranteed;
  4. Calls on the European Union and the international community to increase the humanitarian aid which they grant to this country, which has been ravaged by a bitter civil war;
  5. Calls on the European Union to assist the neighbouring countries to return Sierra Leonean refugees to their country;
  6. Calls on ECOWAS to devise measures designed to entrench a constitutional system in Sierra Leone on a long term basis;
  7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations, the OAU, to the Ecowas, and the Government of Sierra Leone.

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## RESOLUTION <sup>(1)</sup>

### on Nigeria

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
- having regard to its previous resolutions on Nigeria,
- having regard to the European Union's Common Position 95/544/PESC on Nigeria, defined by the Council on 4 December 1995 on the basis of Article J.2 of the Treaty on European Union,
- having regard to the Council decisions of 28 November 1997 concerning the scope of that Common Position and the implementation thereof,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

- having regard to the statements by the European Union Presidency on 26 December 1997 and 20 March 1998,
- A. whereas the democratic process in Nigeria was brutally interrupted in 1993 by the cancellation of the presidential election results and the establishment of a military regime under General Abacha,
  - B. whereas, since then, the military regime has failed to restore democracy and systematically imprisoned political opponents, removed the independence of the judiciary, curbed the freedom of the Press, and seriously violated human rights,
  - C. whereas the human rights situation has been systematically exacerbated by permanent threats against the opposition, military trials, arrests and the execution of political prisoners,
  - D. concerned at the arrest on 21 December 1997 of General Diya and twelve other persons accused of planning a *coup d'état* and tried in camera by a military tribunal,
  - E. whereas General Abacha promised in 1995 to hand over his powers to a democratically elected civilian president by 1 October 1998,
  - F. welcoming the appointment of Soli Sorabjee as Special Rapporteur on Nigeria in accordance with the decision of the UN Commission on Human Rights, but regretting that he has not yet been granted access by General Abacha to Nigeria,
  - G. having regard to Pope John Paul II's recent pastoral visit to Nigeria and the appeal issued by the Sovereign Pontiff on that occasion for national, political and religious reconciliation and for human rights to be fully respected,
  - H. regretting that the sanctions adopted by the Council against Nigeria in November 1995 have hitherto not proved their effectiveness,
  - I. noting that oil and gas exports currently account for an enormous percentage of Nigeria's foreign earnings, and taking the view, therefore, that an oil embargo is the only effective weapon at the international community's disposal to oblige Sani Abacha to restore a democratic constitutional regime,
  - J. whereas Nigeria's petroleum reserves are being used to intimidate countries adjacent to it and to win over Western countries to its cause,
  - K. whereas the military regime in Nigeria is attempting to drive a wedge between the Member States of the European Union by offering certain Member States attractive trade and other concessions and impeding the activities of other more critical Member States,
  - L. noting, moreover, that Nigeria has not used its abundant oil resources to improve the well-being of a large proportion of its population and that poverty in the country has even worsened in recent years,
1. Denounces once again the military regime in Nigeria which has caused the ruin of democracy in that country, continued to perpetrate serious human rights violations and allowed the poverty affecting its people to persist or even exacerbated it;
  2. Condemns General Abacha's decision to cancel the presidential election scheduled for 1 August and instead to hold a referendum;
  3. Takes the view that cancellation of the election will impede the political process in Nigeria and obstruct the transition to civilian government in the near future;

4. Calls on the Nigerian Government to release all political prisoners, including Moshood Abiola, Olunsegun Obasanjo, Frank Kokori, Beko Ransome-Kuti, Ogana Ifowodo and Batom Mitee;
5. Calls on the Nigerian Government to guarantee that fair and public trials will be held instead of secret military tribunals;
6. Reaffirms its complete opposition to capital punishment and calls accordingly on the Nigerian authorities to give an undertaking to refrain from resorting to it, even in connection with cases tried by a military tribunal;
7. Regrets the ineffectiveness of the sanctions decreed by the Council in 1995 against Nigeria, and which have been extended at regular intervals, and calls accordingly on the European Union and the Member States to show the utmost vigilance in ensuring that these sanctions are effectively implemented within the European Union;
8. Recognizes that every effort should be concentrated on strengthening civil society and therefore welcomes the decision of the European Union to establish a budget line entitled 'The Special Programme for Democracy in Nigeria' and the initiatives already taken to promote close cooperation between the European Parliament, the Commission and European and Nigerian representatives of civil society to ensure that this budget line provides effective and targeted support to civil society in Nigeria;
9. Notes that EU sanctions against Nigeria have not been particularly effective and calls, therefore, for closer monitoring of the implementation thereof ; invites the Member States, acting, for instance, in consultation with the Organization of African Unity, to exert stronger political and diplomatic pressure on the Sani Abacha regime and to take every step required to toughen the whole range of economic and trade sanctions;
10. Reiterates that sanctions targeted chiefly against exports of oil products from Nigeria represent the most effective means of depriving the military junta of its main source of income and forcing the Nigerian authorities to restore democracy;
11. Hopes that free, transparent, fair and just elections are organized in Nigeria;
12. Calls on the European Union to provide material and financial assistance to Nigeria in preparing, organizing and holding those elections;
13. Calls on the Commission, following consultation with relevant experts, to establish a number of clear benchmarks before the Nigerian presidential election to assess whether a genuine and credible transition to democratic civilian rule has occurred by October 1998; calls for the draft benchmarks to be formally discussed and agreed in the European Council and then presented to and discussed with a cross-section of parliamentarians; suggests that such benchmarks should include, *inter alia*:
  - an agreed legal basis for the election corresponding to international 'norms' such as those set down by the UN Human Rights Commission in its General Comment, 25 (57),
  - a genuinely independent electoral commission,
  - an agreed process for establishing and finalizing the electoral roll,
  - a process for the registration of political parties which allows all parts of the political spectrum to participate in elections,
  - the employment of impartial, independent observers to monitor the election process and to report on its conformity with internationally respected criteria and norms,

- the release of detainees and political prisoners, in particular Chief Moshood Abiola,
- a halt to detention without trial,
- the repeal of repressive decrees, in particular those which have suspended constitutional guarantees enshrining fundamental human rights and the position and independence of the judiciary,
- freedom of expression and political assembly,
- freedom of the Press and balanced access to the State media;

14. Calls on the European Council to make a clear commitment to implement the following measures if a genuine transition to democratic civilian rule on the basis of the clear benchmarks discussed by the Member States has not occurred by October 1998, and then to maintain these measures until such time as a genuine democratic transition process has occurred:

- maintenance of the current measures,
- a total arms embargo,
- a new provision in the Common Position forbidding the sponsorship of trade missions to Nigeria by European Union Member States,
- freezing financial assets held in the EU by the Nigerian Government, members of the Provisional Ruling Council and Federal Executive Council and their families;

15. Calls on the Member States to publish a list of the arms exports to Nigeria which are not prohibited by the Common Position, and a list of all arms transfers still being made to Nigeria;

16. Calls on oil companies which operate in Nigeria to respect and support international standards of human rights and international environmental and consumer standards in the course of their operations in Nigeria; further calls on them to produce regular reports on their activities which specifically address these issues, and to include publication of all environmental impact statements undertaken by them in Nigeria over the last five years;

17. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN, the OAU and the Nigerian Government.

RESOLUTION<sup>(1)</sup>

## on the political situation in Equatorial Guinea

*The ACP-EU Joint Assembly,*

— meeting in Port Louis (Mauritius) from 20 to 23 April 1998,

- A. having regard to the general provisions of the Fourth Lomé Convention and in particular Articles 5 and 366 thereof relating respectively to respect for fundamental rights, the application of democratic principles and good governance and to the consultation and reconciliation arrangements for the settlement of political disputes between the ACP States and the Member States of the European Union,
- B. recalling the letter and the spirit of the resolutions on Equatorial Guinea adopted by the Council of Ministers of the ACP States at the meeting held at Apia (Western Samoa) from 24-27 June 1996 and at the meeting of the ACP-EU Assembly in Luxembourg from 23-26 September 1996,
- C. deeply concerned at the loss of innocent human lives during the sad events which occurred at various places in the province of South Bioko (island region) on 21 January 1998 and which were the work of a group of individual who opted to use violence rather than dialogue and negotiation,
- D. welcoming the efforts made with a view to the resumption of the dialogue between the European Union, Spain and the government of Equatorial Guinea, efforts which have taken the practical form of an exchange of special missions and high level-delegations,
- E. noting with satisfaction the progress achieved in the context of the ongoing negotiations between the government of Equatorial Guinea and the political parties, which led to the conclusion and signing of Agreements on the revision and assessment of the National Pact on 26 April 1997, and on the revision and updating of the National Census with a view to the forthcoming parliamentary elections on 23 March 1998,
- F. noting with satisfaction the holding of a National Economic Conference at Bata from 8-13 September 1997, at which all of the country's representative organizations had an opportunity to take part, in complete transparency, in the definition of a joint strategy for the economic and social development of the country,
- G. taking account of the fact that various legal instruments governing fundamental freedoms, respect for human rights and the holding of free and transparent elections have been updated and promulgated with a view to setting up an independent National Human Rights Commission and an independent Electoral Commission and to ensuring the broad and free participation of the population in the forthcoming elections,
- H. whereas the parliamentary elections are scheduled to be held this year (1998),
  - 1. Takes good note of the efforts made by Equatorial Guinea with a view to reviving the democratic process appropriate to a constitutional State, and calls on that country to continue along this path while making constant use of dialogue, consultation and negotiation with all of the legalized political movements;
  - 2. Calls on the European Union, its Member States and the government of Equatorial Guinea to maintain and intensify the contacts which have now been resumed with the aim of ensuring the continuity of dialogue and the swift reinstatement of cooperation between the parties;
  - 3. Requests the government of Equatorial Guinea to proceed to ratify the United Nations Convention against torture at the earliest opportunity;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).



4. Rejects categorically the use of violence, forcefully condemns the acts of aggression committed on 21 January 1998 at various places in the island province of South Bioko and requests that the persons involved in these killings should be brought to justice as quickly as possible;
5. Calls once more on the international community, and on the European Union and its Member States in particular, to assist the government of Equatorial Guinea in its efforts to consolidate the ongoing democratization process, specifically with a view to the holding of the forthcoming parliamentary elections in a climate of peace, security, freedom and transparency;
6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the government of Equatorial Guinea.

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#### RESOLUTION<sup>(1)</sup>

##### on West Africa

*The ACP-EU Joint Assembly,*

— meeting in Port Louis (Mauritius) from 20 to 23 April 1998,

- A. recalling the EC 1987 Action plan for the protection of Natural Resources and Combatting Desertification in Africa which emphasised that authorities should be encouraged to improve dialogue with the local populations and to work together to conserve and rationally manage natural resources,
  - B. aware of the constant threat that the desertification process poses to the economy and the biodiversity of the countries of West Africa, especially to rural economy,
  - C. acknowledging the commitment of the west African region, in particular the countries of the Sahel, and the EU effectively to implement the Convention to Combat Desertification,
  - D. aware that over the past 30 years unsustainable agriculture-based land use practices have evolved in many of the countries affected by desertification neglecting the potential of wild resources for sustainable rural development,
  - E. considering that these land use practices have degraded the land and the biological diversity of the region,
1. Urges all parties in the West African region concerned with desertification and the loss of biodiversity to review, in a critical manner, legislation which implicitly devalues renewable natural resources and favours conventional agricultural land-uses, however unsustainable;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

2. Requests the European Union to support actions and projects which support competitive land-use practices that prevent soil erosion, including the sustainable management of wild resources;
3. Urges all the governments of the countries affected by desertification to develop land use policies that increase biological diversity and ecosystem productivity;
4. Urges the governments of the region, the European Union, Non-Governmental Organisations and local community representatives to embrace decentralised resource tenure systems which are more likely to conserve natural resources while meeting human developmental needs;
5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, to the Secretariat of the Convention to Combat Desertification and to the Secretariat of the Convention on Biological Diversity.

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#### RESOLUTION <sup>(1)</sup>

#### on the situation in the Southern African region, and the current position regarding the EU-South Africa negotiations

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
  - having regard to the previous resolutions on South Africa which have been adopted by the Joint Assembly on South Africa,
- A. whereas the Republic of South Africa and the European Union are actively pursuing negotiations designed to lead to the creation of a Free Trade Area, in the context of a bilateral Trade, Development and Cooperation Agreement in the long term,
  - B. whereas separate agreement has already been reached granting South Africa qualified access to the Lome Convention, and on science and technology,
  - C. whereas separate agreements may also be reached relating to wine and spirits, and to fisheries,
  - D. whereas the main obstacle to a rapid conclusion of the negotiations is due to the diverging positions of the two parties on the trade aspect of the agreement,
  - E. recalling that agreements reached between South Africa and the EU will have important consequences for South Africa's neighbours in both the Southern African Customs Union (SACU) and the Southern African Development Corporation (SADC), and for the forthcoming negotiations between the EU and all ACP States,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

- F. whereas the Commission committed itself to evaluate the repercussions of the agreement on the SACU countries,
- G. concerned that the SADC states will be unable to conclude their negotiations on a trade protocol so that efforts towards regional integration can precede any EU/South Africa FTA,
- H. aware of the deep levels of poverty and inequality which continue to exist in South Africa, and particularly concerned by the high levels of unemployment in that country,
- I. pleased that both parties to these negotiations have agreed the principle that any free trade agreement should be asymmetrical in terms of both its timing and its content so that the development process in South and Southern Africa is assisted, and noting that any trade agreement should therefore require faster and greater liberalisation on the part of the EU than is required of South Africa,
- J. noting with concern that the EU's current offer would exclude over 45 % of all South African agricultural products from any tariff dismantlement agreed with the EU,
- K. aware that the European Programme for Reconstruction and Development (EPRD) in South Africa will terminate in 1999, and that no discussions have so far taken place on any successor arrangement,
- L. noting that the differing levels of development of the parties to the negotiations are such that selective and time bound assistance may need to be provided to infant industry and agriculture in South Africa,
- M. mindful of the provision of the Berlin Declaration of September 1994 and the Lomé IV Convention on political dialogue, encapsulating the rule of law, accountable governance and transparency, respect for human rights and democracy,
- N. desirous to further deepen trade and development cooperation with the entire membership of the Community to enhance the role of the private sector and promote both local and foreign investment for industrial development programme in the region,
- O. resolved to rid the region of anti-personnel landmines, illicit drugs and drug trafficking, cross-border crime, and illegal hunting of wildlife,
- P. convinced that democratically elected governments in the region and the world over can legitimately be changed only by democratic means,
- Q. resolved to protect the fragile ecosystem regarded by the indigenous peoples of the region as a precious heritage,
1. Welcomes the limited progress made so far in the negotiations, in particular relating to qualified accession to the Lomé Convention, and a science and technology agreement, but aware that considerable work and negotiation needs to take place over the coming months to ensure that an equitable agreement can be reached so that South Africa ceases to labour under a discriminatory trading regime in its relations with the EU;
2. Reaffirms its view that establishing conditional linkages between the various agreements being sought between the EU and South Africa is unhelpful, undermines confidence and hinders compromise which will allow the negotiations to reach a successful conclusion;

3. Calls on the EU, in particular, to improve its trade-offer with regard to agricultural products and with regard to the conditions relating to the establishment of a free-trade area;
4. Notes with concern that current European proposals to dismantle tariffs in parallel on a range of industrial products does not square with the principle of asymmetry to which the EU has agreed, and therefore calls for the EU to review this proposal;
5. Calls on the Commission, when the Joint Assembly holds its next meeting, to provide it with the results of the study on the impact of the agreement on the SACU countries;
6. Notes once again with deep concern the vast range of South African agricultural exports which the EU suggests should be excluded from any FTA, and reconfirms its strongly held view that the EU's position penalises precisely those sectors in which the South African economy could achieve labour intensive growth;
7. Urges the EU to reduce the scope of the agricultural exclusion lists and to apply a more flexible approach to any products it fails to remove altogether from that list; in particular, encourages the EU to explore the possibility of reviewing the status of the exclusion list at regular intervals, so that exclusions are not permanent and future tariff reductions can be considered; also encourages it to build in seasonally adjusted tariff reductions into the list, and, in some instances, to consider tariff reductions within specified quotas;
8. Urges the EU to take account of sensitive sectors in South and Southern Africa in its offer so that unacceptable adjustment costs can be avoided, and in particular encourages it to explore further the concept of 'protocols' wherever specific sensitive products have been identified by South and Southern African Governments; calls on the Commission to ensure that the global impact of the agreement on the SACU countries is not negative;
9. Notes with concern that the question of revenue losses which could be incurred by SACU countries as a result of a FTA between the EU and South Africa has still not been properly addressed, and urges the EU in particular to provide an indication of the type and extent of support it would be willing to provide countries affected by such losses;
10. Believes that any discussions concerning non-trade issues, such as commercial and anti-dumping policies, should take into account the impact of the Common Agricultural Policy and the need to provide time bound and selective assistance to infant industry and agriculture in South Africa;
11. Calls on the ACP/EU Customs Cooperation Committee to urgently complete its discussions concerning the application of Lomé's rules of origin to South Africa in a manner which would allow processing to take place in South Africa on products originating in ACP countries without a loss of preference;
12. Confirms its view that the EPRD continues to make a valuable contribution to the ongoing development process now taking place in South Africa, and believes that this programme should continue after 1999 so that the work already undertaken under the current EPRD can be built upon;
13. Reiterates its unequivocal commitment to upholding human dignity and human rights, for it is these fundamental principles that must further underpin the region's relations with the Community in the post-Lomé period;
14. Invites the Community to send fact-finding trade and business missions to the region to rediscover potential traders and partners to bring to a quick end the donor-recipient dependency syndrome;

15. Calls on both the Community and the region itself to allocate more financial and technical resources to the demining exercises and to harmonizing national laws to seriously curb cross-border illicit drug trafficking, crime and theft;

16. Reminds both the Community and the region that the existence of peace in the region does not necessarily mean the existence of stability, and that governments, while they cannot satisfy every individual, should be seen to be upholding the interest of the populace. In this regard, the Community is called upon to provide both financial and technical resources to help the region consolidate the democratic structures already in place;

17. Calls on all governments of the Community and the region to ensure the protection of the environment by appropriately legislating against illegal hunting, illegal trade in exotic birds, transfer of nuclear waste and other hazardous material, and to find alternative ways and means of generating energy;

18. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the government of South Africa.

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#### RESOLUTION<sup>(1)</sup>

##### on the role of the IGAD

*The ACP-EU Joint Assembly,*

— meeting in Port Louis (Mauritius) from 20 to 23 April 1998,

- A. having regard to the creation of the IGAD (an intergovernmental authority bringing together seven East African countries: Djibouti, Somalia, Ethiopia, Eritrea, Kenya, Uganda and Sudan),
- B. having regard to the new, revitalized role of the IGAD in the area of the prevention, management and settlement of conflicts which, to a large extent, also facilitated the two peace processes in Somalia and southern Sudan between the parties involved,
- C. aware of the importance of broadening the scope for IGAD intervention to achieve practical results in implementing priority projects in vital sectors (roads, telecommunications and the rational use of water),
- D. whereas these projects will be measures of the genuine and complete economic integration of countries and peoples united by historical and cultural ties and, therefore, sharing a common destiny,
- E. whereas it is necessary to strengthen the creation of the IGAD Peace Fund, which is already in operation,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).

- F. applauding the outcome of the meeting in Rome in 1998 with the various partners and financial backers who fulfilled all our hopes by setting up a Partners Forum of 8 European countries, Japan and Canada, together with the UNDP and the HCR,
- G. confident in the resolutions adopted by the 6th Summit of Heads of State and Government of the Member States of IGAD held in Djibouti on 16 March 1998,
- H. encouraging the warring parties to strive for a cease-fire in order to create an environment conducive to the resumption of talks scheduled to be held this very month of April 1998 in Nairobi, Kenya,
- I. welcoming the position adopted by the IGAD Summit concerning the settlement of the Somali conflict which states that multiplying the number of attempts to mediate only harms Somali interests and does nothing to resolve the core problem,
- J. having regard to the need to strengthen the peace process launched by the IGAD on behalf of Somalia and the need to ensure that all assistance to Somalia to strengthen the peace process is provided via the appropriate IGAD mechanism,
- K. convinced that concerted action for peace via this forum will facilitate dialogue between all the Somali factions to enable the population to put an end to fratricidal wars and factionalism, restore peace and pursue development,
- L. encouraging the political will of the IGAD Member States to contribute to the stability of the region and its economic and social development,
  - 1. Commends IGAD for its constructive regional development agenda and untiring efforts for peace and stability in the regions, especially in Sudan and Somalia;
  - 2. Calls on the international community in general, and the EU in particular, to extend all possible political and financial support to facilitate the achievement of IGAD's objectives;
  - 3. Calls for the assistance of the Member States of the Forum of Partners and Financial Backers in achieving its aims;
  - 4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

RESOLUTION<sup>(1)</sup>

on Cuba's application for membership of Cariforum and of the ACP group of countries in the context of the current situation in the Caribbean

*The ACP-EU Joint Assembly,*

- meeting in Port Louis (Mauritius) from 20 to 23 April 1998,
- having regard to the common position of the Council of the European Union adopted pursuant to Article J2 of the Treaty on European Union, of 3 December 1996, ratified on 26 June 1997,
- A. having regard to the negative impact of the embargo imposed by the United States and the negative repercussions of the Helms-Burton Act on the Cuban population,
- B. whereas the European Union has made a considerable humanitarian aid effort for the Cuban people in recent years,
- C. whereas, despite the current difficulties, the European Union is at present the main source of humanitarian aid to the Cuban people,
- D. whereas so far the European Union's food security and aid programme for Cuba extends to more than 12 000 people who have received direct aid and whereas more than 490 000 children (essentially in private and secondary education) have received food aid,
- E. having regard to the enormous impact on international public opinion of the recent visit to Cuba of His Holiness Pope John Paul II and on the Cuban population as regards their expectations in terms of religious freedom and the possibilities for ending the international isolation of the country through its future participation in the various international organizations,
- F. deploring the fact that, notwithstanding the welcome given to Pope John Paul II, the Cuban regime is preventing the democratic development of the country,
- G. welcoming the initial measures towards economic liberalization introduced by the Cuban government since 1995,
- H. also welcoming certain measures taken by the Cuban Government towards the release of hundreds of political prisoners and religious freedom following the Pope's visit,
- I. having regard to the official application by the Cuban Government to the Secretary-General of the ACP group of countries, the Secretary-General of Cariforum and the European Union indicating Cuba's wish to accede to the agreement which is to succeed the Lomé Convention, and to join the group of ACP countries and Cariforum, a sub-regional body associated with the Lomé Convention,
- J. having regard to the decision of the Council of Ministers inviting the Cuban government to take part as an observer at its next meeting to be held in Barbados next May,
- 1. Takes positive note of the Cuban Government's desire to accede to the agreement which will replace the present Lomé Convention in the near future and to join Cariforum;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 April 1998 in Port Louis (Mauritius).



2. Calls on the Cuban authorities to continue the process towards greater freedom by releasing and fully integrating into society all those who remain imprisoned for peacefully exercising their right to freedom of expression or to the freedom of assembly or association;
  3. Supports Cuba's call to be given observer status in the ACP and ACP-EU bodies prior to the negotiations on renewal of the Fourth Lomé Convention; calls for such observer status to be granted to Cuba and for that country to be invited to the next session of the Joint Assembly;
  4. Welcomes the encouraging measures taken by the Cuban Government to reprieve some political prisoners and hopes that progress continues to be made towards respect for human rights and political pluralism;
  5. Calls, for the release of all political prisoners and hopes that a gradual process of political and economic reform will commence in line with the general conditions set out in the 'democratic clause' of the present Lomé Convention;
  6. Calls on the Council and the Commission to continue their efforts to contribute to the democratization of Cuba and respect for the fundamental rights and freedoms of its population;
  7. Reiterates its opposition to the Helms-Burton Act and to the economic embargo imposed by the United States;
  8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Economic and Social Committee and the government of Cuba.
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RESOLUTION<sup>(1)</sup>

## on Intra-ACP cooperation

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to its report on Intra-ACP Cooperation (ACP-EU/2492/98),
  - having regard to the 1975 Georgetown Agreement,
  - having regard to the 1977 Suva Declaration,
  - having regard to the 1980 Montego Bay Action Plan,
  - having regard to the 1985 Harare Declaration,
  - having regard to the 1997 Libreville Declaration by ACP Heads of State and Government,
- A. whereas the Georgetown Agreement established the ACP Group not only to contribute to the development of these States by fulfilling the objectives of the Lomé Convention but, importantly, and to the same end, by strengthening solidarity of its members and promote effective cooperation among them,
- B. whereas the Suva Declaration outlined a general action programme to serve as the basis for ACP cooperation and laid down six major areas of intra-ACP cooperation,
- C. recalling that these areas were:
- Transport and Communications,
  - Trade,
  - Development of Intra-ACP Enterprises and Co-Operation in Production,
  - Development Finance,
  - Technology, know-how and Technical Assistance,
  - Cultural, Educational and Scientific Co-Operation,
- D. whereas the Suva Declaration also stated that, in pursuing these policies, the promotion of cooperation at a regional level should be given special consideration,
- E. whereas the Montego Bay Action Plan aimed to establish effective intra-ACP cooperation within a period of five years,
- F. whereas the Harare Declaration, taking stock of achievements so far, emphasised the need for operational and practical cooperation measures that were consistent with the resources available to ACP States and the need for an appropriate institutional framework able to mobilise the necessary human resources to implement such measures,
- G. whereas, regrettably, the ambitions and hopes of intra-ACP cooperation, as enshrined in the cited Declarations and Action Plans, have so far had limited success,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

H. whereas the six above-mentioned areas of cooperation are not exhaustive and, particularly considering the profound changes which have taken place on the international scene and the opening up of cooperation to new players, a series of new areas should form an integral part of future cooperation; whereas the following areas should be treated as special priorities:

- democratisation, the rule of law, and good governance,
- safeguarding human rights, freedom of the Press, and freedom of information,
- eradication of poverty and access to basic services such as clean water, basic education, and universal health services,
- increased rights for women to enable them to achieve political, legal, social, and economic equality,
- participation of civil society and women in particular in the planning and decision-making affecting society at large,
- an economic and employment policy to counter underemployment and unemployment,

I. whereas a renewed and realistic effort to promote intra-ACP cooperation must be adapted to the financial, human and institutional resources available to ACP States,

J. whereas the fourth Lomé Convention will expire in the year 2000 and the next partnership agreement should include several features making ACP unity and solidarity even more important,

*As regards intra-ACP cooperation in general:*

1. Reaffirms the determination of the ACP Group to promote intra-ACP cooperation as a means to strengthen ACP solidarity and promote self-reliant development;
2. Believes that renewed emphasis must be placed on intra-ACP cooperation, especially in the light of most of the considerations relating to globalisation;
3. Endorses the view that cooperation at the regional level, which has experienced considerable success in recent years, should be the cornerstone of intra-ACP cooperation and the axis around which the bulk of EU support should be directed;
4. Believes this is particularly the case since the regional dimension is set to play an important part in the new ACP-EU Convention;
5. Believes that the regional dimension of intra-ACP cooperation is particularly important as it, apart from the well known developmental benefits, should also contribute to the following:
  - Collective bargaining on the level of the region which could improve the economic position of ACP countries in the world economic system,
  - Collective strength which could make it easier to resist pressures from the North and improve cooperation,
  - Certain conflicts between and within states would be more easily solved within a regional framework;
6. Notwithstanding the fact that regional cooperation is and will be the cornerstone of intra-ACP cooperation, new and innovative forms of cooperation between the three ACP regions, and bilaterally, must receive renewed attention and support;

*As regards obstacles to intra-ACP cooperation:*

7. Is fully aware that the ACP countries face a number of difficulties which have slowed down the progress of intra-ACP cooperation;
8. Believes that these difficulties include, inter alia,:
  - the inadequacy of physical and social infrastructures, including transport and communications, which severely hampers exchanges among individuals, business players and nations alike,
  - the lack of energy at competitive costs in many cases, particularly for industrial use,
  - the unsatisfactory situation as regards general and vocational education and the inadequate availability of specialists,
  - disparities in resources, size and political influence within the ACP Group which means that objectives and means are not always the same,
  - the lack of peace and stable political conditions in several ACP countries which makes intra-ACP cooperation impossible,
  - the generally poor economic performance of many ACP states in recent years which have led to the downgrading in priority of intra-ACP cooperation;

*As regards the political dimension*

9. Endorses fully the renewed emphasis on the solidarity, integrity and unity of the ACP Group which was expressed during the last meeting of the ACP Council in Barbados, May 1998;
10. Believes not only that this aspect is fundamental in relation to the upcoming negotiations for a future cooperation agreement but is of fundamental importance for the long-term existence of the ACP group as a political entity;
11. Considers, furthermore, that it is of vital importance in assuring that the ACP side can fully give its impetus to the strengthened political dialogue which is likely to be one of the main features of the new partnership;
12. Is of the opinion that an element in the negotiations for a new partnership agreement should include an assessment of the legal and practical scope for joint action between the ACP and the EU in a number of issues of fundamental importance for the development of ACP countries, including, inter alia, WTO negotiations and rules and the Multilateral Agreement on Investment;
13. Believes that, as a fundamental basis, and to go hand in hand with the proposed reinforcement of the role of Joint Assembly as a whole, the strengthening of dialogue, links and coordination within the ACP side needs urgent attention and review;
14. Points out, for example, and as an indication of this need, that a large majority of resolutions which are discussed at the Joint assembly are initiated by the EU side; Considers, therefore, that measures enabling the ACP side to constructively seek ways of becoming more involved are called for;
15. In this respect, firmly believes that relations between parliamentarians is a crucial element of mutual understanding, solidarity and cooperation amongst the ACP countries;
16. Supports, therefore, the proposals to set up an ACP Parliamentary Assembly which would bring together the ACP members to great advantage, much in the same way as European members can benefit from dialogue, discussion, preparation and coordination within the European Parliament; believes this would significantly enhance intra-ACP cooperation and solidarity;

17. Takes the view that such an Assembly should be set up and financed exclusively by contributions from the ACP States themselves, so that its existence and work is truly a reflexion of the political will necessary to ensure its usefulness and sustainability; also believes that this would be necessary to guarantee independency of initiative and independency in policy/decision-making;

18. Considers that the role and functioning of the ACP Secretariat, which in most cases is the hub of coordination, urgently need to be reassessed so as to correspond more effectively to the needs of intra-ACP coordination;

*As regards conflict prevention, management and resolution*

19. Stresses the importance of including, one way or another, the relevant regional, sub-regional and local entities in prevention, decision-making, mediation, monitoring and peace-keeping in order to avoid local conflicts and, where they have already occurred, to achieve durable solutions;

20. Considers, in this context, that intra-ACP cooperation is an invaluable means of achieving peace and security in ACP countries, particularly in Africa;

21. Lends its full support to the strengthening of regional organisations, such as the OAU, CARICOM and the Pacific Forum, in conflict prevention, management and resolution; believes that this must be achieved under the auspices of the UN;

22. Expresses itself in favour, under the conditions set out above, of the proposal to set up regional listening-posts to monitor ethnic, linguistic, economic, social or religious tensions; believes that EU support for such arrangements should be one of the elements taken into account in the new ACP-EU agreement;

23. Completely shares the view, expressed by the European Parliament, that the ideas put forward by the Development Assistance Committee of the OECD for establishing resource management regimes to adjudicate over conflicts relating to shared resources, such as water, croplands, forests, should be explored further;

**The current conflicts in the DRC and the Horn of Africa**

*As regards the situation in the Democratic Republic of Congo*

24. Expresses its profound concern at the crisis in the area and appeals to all parties to do their utmost to find peaceful solutions in order to embark on a process of reconstruction, democratisation and reconciliation;

25. Condemns acts of violence against all civilians and urges all parties to respect human rights and humanitarian law no matter what developments take place;

*As regards the conflict between Eritrea and Ethiopia*

26. Urges the Governments of Eritrea and Ethiopia to abandon the use of force and to fully commit themselves to peaceful and legal means of resolving the border dispute; calls for an immediate cessation of hostilities and the beginning of negotiations with mediators;

27. Believes that it is instrumental that a solution involve independent and neutral mediation, and, subsequently, the demarcation of borders under the auspices of the United Nations; urges Eritrea and Ethiopia to immediately agree to such a process;

28. As called for by the High Commissioner for Human Rights, urges the Government of Ethiopia to respect international human rights norms in relation to ethnic Eritreans in Ethiopia;

*As regards the traditional sectoral priorities of intra-ACP Cooperation, as identified in the Suva Declaration*

29. Endorses the validity of the objectives established and underlines that their potential contribution to self-reliant development is more valid than ever before;

30. Is aware that the ambitions and hopes of intra-ACP cooperation in this field have, to a considerable extent, remained unfulfilled;

31. Believes that the modest success so far can be largely explained by a set of factors and circumstances which, since they are known, can now serve as guidelines for the future improvement of actions in this field;

32. Believes, particularly, that the following factors have contributed to the limited success of intra-ACP cooperation in these sectors so far:

- the worsening situation of many ACP states since the 1980s, including, inter alia: worsening terms of trade, unsustainable debt burdens, economic mismanagement and, more often than not as a result of ACP governments' failure to act decisively and pro-actively, the imposing of structural adjustment programmes which have had negative social effects, all of which have shifted the focus away from intra-ACP cooperation and toward national policies of short term survival,
- the original programmes as laid down in the Suva Declaration were too ambitious and would have required a large amount of human, financial and institutional resources that were not available to the ACP states;

33. Believes that the ACP states need to establish new, more pragmatic and realistic objectives for the programmes in this field, fully taking into account the human, financial and institutional capacities available;

34. Calls on the ACP Committee of Ambassadors to prepare a comprehensive analysis of actions so far, identifying the main problems, and, on the basis of this report, present a revised and more realistic action plan to the ACP Council;

35. Calls on the Commission to provide the Joint Assembly with an account of the funding accorded to intra-ACP cooperation under the Lomé 3 and 4 Conventions (excluding support which has gone specifically to regional cooperation and integration) and to state their view on the effectiveness of these programmes;

36. Believes that some areas, particularly transport and communications and intra-ACP enterprises and co-operation in production, should mainly be pursued within the context of regional cooperation and integration (and within the organisations set up for that purpose);

37. Believes that in order to achieve better progress and reach set objectives, the ACP group should consider identifying and giving specific priority, (as regards projects relating to intra-ACP cooperation and which are managed jointly by the ACP Secretariat and the Commission) to one sector at a time;

38. Also believes that in order to achieve good results, the ACP Group would have to:

- a) muster the necessary political will, at all levels, to successfully implement such policies, including a greater readiness to introduce practical measures to facilitate the flow of people, goods and services;
- b) mobilise, whenever possible, additional resources from the private sector and aim to include the private sector in relevant projects;

- c) assure coordination and participation of international and multilateral organisations whenever appropriate, such as, for example, UNESCO in matters of cultural cooperation;
- d) give serious consideration to the setting up an ACP Technical Assistance Programme in order to use existing ACP knowledge and expertise before having recourse to foreign assistance; In this context, asks the Commission to make all efforts possible to use ACP experts and firms in the planning and implementation of Lomé projects which are at present predominantly carried out by Europeans;

**Examples of new areas of intra ACP cooperation:**

*As regards Civil Society Groups, NGOs*

39. Believes that decentralised cooperation and civil society groups have a crucial role to play in finding solutions to many problems facing ACP countries, since they seek to promote measures and projects affecting the everyday lives of individuals; considers that, among other parties, regional and local authorities, associations, private initiatives, training establishments, nongovernmental development aid agencies, and activities organised by representatives of the poorest population groups should be encompassed within operations on the ground designed to further the above ends;

40. Underlines, at the same time, the importance of enhancing the capacities of legitimate states — especially at local level — proceeding in accordance with separation of powers and good governance, thus enabling dialogue and the definition of responsibilities which is fundamental to the development of civil society and to ensure complementarity between the state and NGOs;

41. Stresses, once again, that sustainable development, regardless of the problems to be tackled, can be achieved only with the resolute support of the population and the necessary processes of change will be impossible to accomplish unless the people accept and help to shape them and assume their share of responsibility; considers that measures and programmes to promote women, children and young people form an indispensable integral part of the development process; warmly welcomes the work done to date by NGOs in these areas which must receive renewed attention and support, as must bi- and multilateral cooperation with civil society; points out that the most powerful instrument to real gender equality is education, which merits special priority; maintains that education measures which foster greater self-reliance deserve particular backing;

42. Believes that measures to enhance cooperation between NGOs within, and between, the ACP regions should be encouraged and supported;

43. Believes, in particular, that such measures should include:

- support to strengthen networking capacity of NGOs,
- the sharing, updating and dissemination of information and experiences,
- establishment of databases;

*As regards fisheries*

44. Stresses the importance of intra-ACP cooperation as many concerns are common, the same species are at risk of over-exploitation in all areas, similar information gaps exist and scientific approaches to assessments of stock conditions are the same;

45. Warmly welcomes the cooperation taking place at regional level and believes that further progress in this field is crucial to the conservation and management of fishery resources;



46. Notes that, in terms of cooperation between the ACP regions, it would appear that there is further scope for cooperation between the Pacific and the Indian Ocean Regions, on the one hand, and 'Atlantic' Africa and the Caribbean, on the other;
47. Affirms that the management of marine resources is an important factor of local economic and social development of the coastal ACP countries;
48. Believes, therefore, that intra-ACP cooperation should also be encouraged in the areas of marine pollution control, human resource development and training and encouraging exchanges between fishworkers, particularly in the artisan sector;
49. Instructs its Co-presidents to forward this resolution to the ACP-EU Council and the Commission.

# RESOLUTION<sup>(1)</sup>

## on ACP-EU trade relations in the fisheries sector and the sanitary standards for the export to the European Union of fishery products

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the export to the European Union of fishery products<sup>(2)</sup>, and Commission Decision 97/296/CE of 22 April 1997 drawing up the list of third countries from which the import of fishery products is authorised for human consumption<sup>(3)</sup>, as amended by Decision 98/419/CE of 30 June 1998<sup>(4)</sup>,
  - having regard to the resolution on ACP fisheries and the 8th EDF, adopted in Brussels (Belgium) on 20 March 1997<sup>(5)</sup>,
  - having regard to European Commission Decision No 97/20 of 17 December 1996 which lists the third countries from which imports of bivalve molluscs, tunicates, echinoderms and marine gastropods are authorised within the EU,
  - having regard to the resolution on ACP-EU cooperation in the fisheries sector beyond the year 2000, adopted in Lomé (Togo) on 29 October 1997<sup>(6)</sup>,
  - having regard to the Resolution No 1/LXV/97 on imports of fisheries products into the EU from third countries adopted by the 65th session of the ACP Council of Ministers held in Brussels from 21 to 23 April 1997,
- A. conscious of the importance of the fishery sector for the economic development of a number of ACP States, especially as regards foreign exchange earnings, employment opportunities, and the development in general of these countries,
- B. aware of the fact that fisheries exports may enter the Community market provided they meet EU sanitary and phytosanitary standards,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

<sup>(2)</sup> OJ L 268, 24.9.1991, p. 15.

<sup>(3)</sup> OJ L 122, 14.5.1997, p. 21.

<sup>(4)</sup> OJ L 190, 4.7.1998, p. 55.

<sup>(5)</sup> OJ C 308, 9.10.1997, p. 26.

<sup>(6)</sup> OJ C 96, 30.3.1998, p. 32.

- C. recognising that modernisation of existing infrastructures, and the construction of new ones, especially canneries, require heavy capital investment to be carried by ACP enterprises in order to meet EU standards,
- D. worried that Community health conditions for the export of fishery products may drive artisanal fish products out of trade with the EU, as the volumes involved would not warrant the investment required to meet these standards in enterprises marketing artisanally caught fish,
- E. having regard to the possibilities provided by the EDF for assisting the ACP fisheries sector,
1. Affirms that sanitary and phytosanitary regulations must not be used as non-tariff barriers to ACP exports to the EU;
  2. Expresses concern at the fact that the implementation of European Commission Decision 98/419/CE of 30 June 1998, with effect from 1 July 1998, is seriously affecting the export earnings and jeopardising the considerable investment made in the fishery export sector of some ACP States, which are not on the List of Third Countries authorised to export fish and fishery products or the third country list authorising the export of marine gastropods, including conch, to the EU, and has led to the laying-off of employees in some ACP and EU companies; companies in some of these States had been exporting fish and fishery products to the EU for over a decade, during the course of which relations of mutual trust and confidence had been built up with partner companies in Europe;
  3. Affirms in this regard the need for coherence between the EU's stated development objectives, particularly the eradication of poverty, which is linked to the encouragement of small and medium sized enterprises, and its trade and trade-related policies and regulations;
  4. Emphasises the importance, within the context of the upcoming negotiations for a new partnership agreement, of according sufficient assistance to ACP countries wishing to create, maintain, extend or strengthen national legislation, as well as reinforcing the role of veterinary authorities capable of certifying exports bound for the Community;
  5. Asks the Commission to evaluate different ways of launching specific programmes of financial and technical assistance, and training so that affected ACP States will obtain the support necessary to meet Community health standards; particular attention should be given to artisanal and semi-industrial fish workers, who lack access to the necessary knowledge and finance; such programmes should not hamper the development and supply of local and regional markets which are necessary for local food security;
  6. Implores the Commission to expedite its consideration of those applications already made by ACP countries to be placed on the lists of third countries authorised to export fish, fishery products and the list of third countries authorised to export bivalve molluscs, tunicates, echinoderms, and marine gastropods, including conch, to the EU;
  7. Encourages ACP governments to take account of the development potential of the fishing sector and related services when deciding on the use to be made of resources allocated under the EDF;
  8. In this respect, consideration should be given to the different instruments available under decentralised cooperation and, particularly, to micro-credits;
  9. Asks the Commission to consult with ACP States, as provided for under Article 12 of the Lomé IV Convention, before putting forward proposals concerning sanitary legislation which may have an impact on trade;
  10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

RESOLUTION<sup>(1)</sup>

## on the effects of the euro on the ACP countries, including on the CFA franc

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. having regard to the introduction as of 1 January 1999 of the single European currency, which will progressively replace the currencies of participating countries on the basis of parities fixed definitively and irrevocably,
- B. having regard to the monetary cooperation agreements existing between France and 14 countries of West Africa, East Africa and the Indian Ocean meeting within the franc zone, a forms of cooperation based on fixed parity with the French franc and a guarantee of convertibility assured by the French Treasury,
- C. whereas the introduction of the euro as a currency of transaction will have a major impact at international level, in particular affecting the ACP countries, whose principal global trading partner is the European Union,
- D. whereas the stability expected to characterise economic and monetary union should benefit the Union's ACP partners not only in terms of trade, thanks to the reduction in exchange-rate risks, but also economically and financially by giving them the option of greater control over their external debt and balance of payments,
- E. whereas the franc zone states have expressed the wish to maintain the cooperation links that have existed between them for several decades,
- F. having regard to France's subsequent commitment to pursue monetary cooperation and maintain the guarantee by the public Treasury,
- G. having regard to the proposal for a Commission recommendation to the Council on future relations between the euro on the one hand and the CFA and Comoran franc on the other,
  - 1. Considers that the achievement of economic and monetary union in Europe, and more particularly, the introduction of a single currency, can have a favourable impact overall on ACP countries, in particular in relation to trade;
  - 2. Considers nevertheless that it will be necessary to dispel fears that have arisen in some ACP countries concerning in particular the impact of EMU on the volume of aid that Europe devotes to its partner countries' development;
  - 3. Welcomes the agreement in principle expressed by the Member States at the Ecofin Council of 6 July 1998 on the Commission proposal for a recommendation to the Council making it possible to retain the existing agreements between France and the countries of the franc zone, and making the signatories to these agreements responsible for their implementation;
  - 4. Also welcomes with satisfaction the fact that this recommendation provides for the Commission, the Economic and Financial Committee and the Ecofin Council to receive detailed information on the decisions adopted by France concerning the CFA franc;
  - 5. Calls on the Ecofin Council to do what it announced at its meeting on 6 July 1998 and, after consulting the European Central Bank in autumn 1998, take an official decision on future ties between the CFA franc area and the euro;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

6. Calls, moreover, on the European Commission to verify and appraise exhaustively the practical aspects of the introduction of economic and monetary union likely to have an adverse impact on ACP-country interests, and to draw up proposals for mitigating the difficulties thus identified;
7. Calls on the Commission to inform the Joint Assembly at its next meeting on the potential effects of the inclusion of the CFA Franc into the euro, both in terms of the social and economic consequences for the CFA countries;
8. Calls on the Commission to evaluate the impact of this development on trade flows and the potential distortion in competition between CFA and non-CFA countries in the region;
9. Points to the importance of sound financial and budgetary policy and therefore looks to the ACP States to pursue coherent economic and monetary policies in order to bring about and consolidate the stability required to meet the challenges of globalisation and international competitiveness;
10. Points out that the ACP States also have the task of establishing propitious economic conditions to promote sustainable development and creating a favourable climate for investment by clearing away administrative hurdles, adopting comprehensible investment laws, and issuing aid programmes;
11. Points out that a coherent economic and monetary policy is also a key means of promoting closer regional economic integration;
12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, and the Ecofin Council.

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#### RESOLUTION<sup>(1)</sup>

##### on the effects of the euro on ACP countries and the franc zone

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to the Maastricht Treaty, in particular Articles 109(5) and 234 thereof,
- A. having regard to the introduction as of 1 January 1999 of the single European currency, which will progressively replace the currencies of participating countries on the basis of parities fixed definitively and irrevocably,
  - B. whereas the introduction of the euro as a currency of transaction will have a major impact at international level, in particular affecting the ACP countries, whose principal global trading partner is the European Union,
  - C. whereas the stability expected to characterise economic and monetary union should benefit the Union's ACP partners not only in terms of trade, thanks to the reduction in exchange-rate risks, but also economically and financially by giving them the option of greater control over their external debt and balance of payments,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- D. having regard nevertheless to the fears expressed by ACP States of seeing EMU and the increased rigour it implies in the management of public finances exerting downward pressure on the flow of public finances and on the volume of development aid originating with the European Union and its Member States,
- E. having regard to the monetary cooperation agreements existing between France and 14 countries of West Africa, East Africa and the Indian Ocean meeting within the franc zone, a forms of cooperation based on fixed parity with the French franc and a guarantee of convertibility assured by the French Treasury,
- F. whereas the franc zone states have expressed the wish to maintain the cooperation links that have existed between them for several decades,
- G. having regard to France's subsequent commitment to pursue monetary cooperation and maintain the guarantee by the public Treasury, in accordance with the option expressly stipulated in Article 109(5) of the Maastricht Treaty,
- H. having regard to the proposal for a Commission recommendation to the Council on future relations between the euro on the one hand and the CFA and Comoran franc on the other,
1. Considers that the achievement of economic and monetary union in Europe, and more particularly, the introduction of a single currency, can have a favourable impact overall on ACP countries, in particular in relation to trade;
  2. Considers nevertheless that it will be necessary to dispel fears that have arisen in some ACP countries concerning in particular the impact of EMU on the volume of aid that Europe devotes to its partner countries' development;
  3. Calls, consequently, on the institutions of the European Union and those of the Member States, whether qualifying for the first stage of the euro or not, formally to undertake that they will maintain a volume of financial aid that will be equal to the challenges of lasting development in the ACP states;
  4. Calls, moreover, on the European Commission to verify and appraise exhaustively the practical aspects of the introduction of economic and monetary union likely to have an adverse impact on ACP-country interests, and to draw up proposals for mitigating the difficulties thus identified;
  5. Notes the resolve demonstrated by franc zone member states to pursue the monetary cooperation implemented under this framework, and welcomes in that connection the agreement in principle adopted by the Member States at the 6 July 1998 Ecofin Council on maintaining the existing agreements between France and the franc zone countries, management of which continues to be the responsibility of the latter;
  6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION<sup>(1)</sup>

## on trade and development

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to its previous resolutions on international trade and on ACP-EU trade relations,
  - having regard to the joint declaration on the development of trade annexed to the Final Act of the revised Fourth Lomé Convention,
  - recalling the Beijing Declaration from the UN's Fourth World Conference on Women, Beijing, 4-15 September 1995, which encourages states, among other things, to 'seek to ensure that national policies related to international and regional trade agreements do not have an adverse impact on women's new and traditional economic activities',
- A. whereas it is essential to guarantee effective use of all the instruments proposed by the Convention in order to develop trade and services and whereas improving the competitiveness of the ACP States is the key to all future success of the development of trade,
- B. whereas the development of trade and services is crucial for the growth of the ACP economies, their smooth and gradual integration into the world economy and the alleviation of poverty in these states,
- C. stressing the value and importance of the preferential access regime which applies to the ACP countries, and recognising that hitherto this regime has tended particularly to favour exports of raw materials rather than manufactured goods and/or services,
- D. whereas the preferential access arrangements contribute to socio-economic development and to the establishment of the stable and predictable environment which is a necessary precondition for investment and enhanced competitiveness and being fully aware of the catalytic role which the involvement in the widest field of services could play in the competitiveness and development of ACP countries,
- E. having regard to the need to ensure that European Union policies are consistent with the objectives of development cooperation,
- F. aware of the fact that the World Trade Organisation's Third Ministerial Conference will take place in autumn 1999,
- G. stressing the importance which the European Union should attach to maintaining its commitments to its ACP partners, given that it might enter into commitments *vis-à-vis* other partners, particularly in connection with new free trade agreements and the WTO system,
- H. whereas the Lomé Convention offers the ACP countries terms of access to the EU market which are more favourable than those laid down by the WTO and whereas indiscriminate enforcement of WTO rules might jeopardise the sustainable development of the ACP countries,
1. Calls on the European Union to make the negotiations on the new Convention the occasion to reaffirm the priority of its trade commitments to the ACP countries, proceeding in accordance with a comprehensive strategy to eradicate poverty and ensure that trade, services and investment become genuine instruments of human, social and economic development;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

2. Calls on the Commission to ensure that the future ACP-EU Convention includes provisions which will enable the objectives set at UN conferences (in particular the commitments made at Rio in 1992 and Copenhagen in 1995) to be achieved;
3. Considers that account should be taken of the concerns which the ACP countries expressed at the Libreville Summit on the subject of the possible upset to their fragile, vulnerable economies and the possible collapse of the social fabric which may come about if the WTO rules and obligations were applied indiscriminately;
4. Insists on the need to improve the current system of preferences and accordingly asks that trade agreements should offer the ACP States more effective arrangements, above all in those areas where this would be to the immediate benefit of the economies of the countries concerned, for instance in the services sector;
5. Supports the position of the ACP countries by asking the EU to allow special, individual treatment of the developing countries in the application of the rules and regulations governing international economic transactions;
6. Considers that the Commission's present timetable for creating reciprocal free trade areas compatible with WTO rules is extremely ambitious; calls on the Union and the ACP States collectively to negotiate a waiver within the WTO to ensure that a significantly longer transitional period is granted and existing non-reciprocal preferences under the Lomé Convention are extended and improved in regions where ACP producers have realistic prospects of increasing and developing their production;
7. Calls on the European Union to support initiatives aimed at reinforcing the ACP group's ability to negotiate in the WTO;
8. Calls on the European Union to strengthen its partnership with the ACP countries with a view to negotiating changes to the WTO rules;
9. Calls for a substantial increase in public aid for development and for the allocation of additional resources under that heading to support diversification programmes;
10. Calls for greater attention to be devoted in the future Convention to the objective of diversifying ACP production and the outlets therefor, without prejudice to compliance with minimum health and environmental standards;
11. Considers that the primacy of the sustainable development objective must be affirmed and incorporated into the statutes and policies of international institutions and into the agreements relating to the functioning of world trade;
12. Urges that the emphasis be placed on support for regional integration in order to ensure that integration processes are politically, economically and socially sustainable;
13. Urges the European Union and the ACP governments to take gender into account in all their trade and economic policies;
14. Requests the European Union to identify and support actions and projects which enable women in ACP countries to make their voices heard, and which ensure their participation in financial and economic decision-making;
15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, and the Commission.



RESOLUTION<sup>(1)</sup>

## on the Multilateral Agreement on Investment

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. whereas, for nearly three years, a Multilateral Agreement on Investment (MAI) has been under secret negotiation within the Organisation for Economic Cooperation and Development (OECD),
  - B. whereas the MAI is an initial attempt to bring together multilateral rules in three areas: protection of investment, liberalisation of investment and settlement of disputes,
  - C. whereas the aim of this agreement is to place all investors on an equal footing, thus in effect giving full rights to multinational companies at the expense of states and their peoples,
  - D. whereas the globalisation of markets as conceived by the economic and financial powers represents a major political risk in that it places commercial and economic considerations above political, social and environmental considerations,
- 1. Calls for all states, including the developing countries, to be party to the negotiations and considers that, these days, the most appropriate international forum for negotiating an international convention on investment is the UNCTAD (United Nations Conference on Trade and Development);
  - 2. Calls for such a convention to be subordinate in law to multilateral agreements and resolutions on the environment, consumer protection, social and cultural rights and the rights of the individual;
  - 3. Considers that an agreement on investment should begin by setting out its objectives and should define the rights and duties of investors and governments, and also that human progress should prevail over economic constraints, for which reason social, environmental and fiscal dumping should be banned;
  - 4. Calls for all countries which are party to the Convention on the MAI to be able to maintain or adopt legislation which is compatible with the above objectives and for all countries to be able to require any investor arriving on their territory to produce results;
  - 5. Maintains that, as regards the protection of public health and the environment, the principle of caution must be an unbreakable rule;
  - 6. Calls for the use of identical technical standards (as regards the protection of workers and the general population) to be made compulsory for multinational companies, irrespective of the country in which they invest;
  - 7. Considers that the settlement of disputes should entitle any country, on its initiative or at the request of an investor under its jurisdiction, to take action against any other country or investor and that the arbitration body should be set up with the approval of a substantial majority of signatories;
  - 8. Considers that any state which is party to the Convention must be entitled to specify the exceptions which it regards as necessary to the continuation of its development policies;
  - 9. Considers that the Convention on the MAI must not affect the right of regional organisations to conduct such investment policies as they judge to be in accordance with the common interest of their members;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

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10. Considers it important that accession to the Convention should involve a prior democratic debate in each country and an assessment of the impact on laws and policies currently in force;
11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

### RESOLUTION<sup>(1)</sup>

on the situation in Kenya following the mission by the Co-President, Lord Plumb

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to the invitation to the Co-President from the government of Kenya to visit that country,
  - having regard to the mission to Kenya by the Co-President from 3 to 8 September 1998,
  - having regard to the very complete programme for the mission, which included meetings with H.E. President Daniel Arap Moi, the Speaker of the National Assembly, the Ministers responsible for Finance, Planning and National Development, East African and Regional Cooperation, Information and Broadcasting, Internal Security, the Attorney General, the Assistant Minister for Foreign Affairs, the Leader of the opposition, leading figures of the principal political parties, representatives of the Churches, representatives of women's organisations, representatives of both national and international NGOs, representatives of the IMF and the World Bank, and the Diplomatic representatives of the EU Member States,
- A. recognising the key role played by Kenya in the East African region and its importance for the Great Lakes Region and the Horn of Africa,
1. Stresses the importance of maintaining the stability of Kenya, situated as it is in an area of Africa beset by conflicts and instability;
  2. Notes with approval that Kenya is now a much more open and free society than it had been in the recent past, and that there are now no political prisoners in the country; congratulates both the Kenyan government and the opposition on this positive evolution;
  3. Welcomes the progress being made towards constitutional reform, and notes that both the government and the principal opposition parties are in broad agreement regarding the modalities for revising the Constitution;
  4. Expresses its deepest sympathy with the Government and people of Kenya, and with the Government and people of Tanzania, both of which are facing up to the carnage wrought by the despicable bomb blasts in Nairobi and Dar es Salaam on 7 August 1998; notes that while the Nairobi blast killed 255 people and injured some 5 000 people, it gave rise to a new spirit of national unity and collaboration between the different political parties that augurs well for the future of Kenyan democracy;
  5. Urges the European Union and its Member States to provide timely material assistance to those affected by the Nairobi and Dar-es-Salaam bomb blasts, and to assist in the rehabilitation and reconstruction effort;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

6. Acknowledges that considerable advances have been made with regard to law reform, notably with the removal of restrictions on the holding of public meetings and the abolition of the offence of sedition, encourages the Kenyan government and Parliament to press ahead vigorously with further legal reform, including the revision of the press laws;

7. Notes that the press is remarkably free in Kenya, while the broadcast media is under greater Government influence; encourages the Minister responsible to grant licences to truly independent operators for the new local television and radio stations that should be authorised to begin broadcasting in the near future;

8. Notes with approval that the inter-tribal clashes in the Rift Valley that took place just after December 1997 elections were much more firmly dealt with by the government than was the case for the 1991/1992 clashes when thousands were driven from their lands, often for political reasons; welcomes the setting up of a judicial enquiry into the causes of the recent clashes;

9. Sees the need for radical improvements in policing and the provision of increased resources for the judiciary and the prison service; calls for steps to be taken to improve morale and conditions of employment and accommodation for the police, members of which have on several occasions, been responsible for human rights abuses; notes with approval that policemen accused of human rights abuses have been prosecuted and when found guilty, dismissed or demoted;

10. Notes that the Kenyan economy is in a serious condition, a situation exacerbated by interest rates standing at some 27 %, and wide scale corruption; encourages the Kenyan authorities to adopt the necessary difficult measures, as laid out in the Minister for Finance's recent budget speech, aimed at

- balancing the budget to eliminate the fiscal deficit,
- reducing government borrowing,
- lengthening the maturity of domestic debt,
- reducing domestic interest rates,
- improving the availability of credit to the private sector, these objectives to be achieved through
- revenue consolidation,
- public expenditure reduction,
- combatting corruption,
- speeding up privatisation,
- tightening up the administration of customs and excise,
- reforming the civil service,
- reforming local government;

11. Believes that until the necessary reforms can be brought about, and interest rates lowered, it will be difficult to encourage foreign companies to invest in Kenya, and to discourage Kenyans from investing abroad;

12. Encourages the further privatisation of inefficient state companies, notably the railways;

13. Supports the Government of Kenya in its determination not to give way to high wage increase demands, notably in the public sector;

14. Stresses the importance of the rule of law, and of effective law enforcement; welcomes the Kenyan government's recognition that corruption is a serious problem and encourages the government to tackle corruption vigorously, inter alia by giving real power to the anticorruption authority and by ensuring that it is itself above reproach with impeccably correct commissioners and staff;

15. Recognises that the degraded state of Kenya's transport infrastructure inhibits economic development; notes that a major project to rehabilitate the main Nairobi-Mombasa road out of EDF funds is currently being examined by the Commission's services; points out that unless the rules governing lorry loads and axle weights, which lead to road deterioration, are scrupulously respected, international donors, including the EU would be reluctant to put money into further road projects;

16. Acknowledges the fact that political stability has resulted in Kenya being a haven for refugees from troubled areas, notably Somalia, which imposes a strain on both internal security and the economy; calls on the international community, including the EU and its Member States, to continue to support these refugees, and to assist the local populations in the areas in which there are high concentrations of refugees so that disparities in the level of services provided to the refugees do not lead to greater resentment, tension and unrest on the part of the local people;

17. Congratulates the Kenyan government and people on its progress towards democracy, openness and improved respect for human rights; points out that much remains to be done and that courageous action will be needed in the coming years if Kenya is to become a full, free democracy governed at all times by the rules of law; recognises that serious problems still exist with regard to the economy and corruption, and encourages the Kenyan authorities to take courageous action to achieve a satisfactory level of economic growth and to effectively combat corruption.

18. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

## RESOLUTION<sup>(1)</sup>

### on the conflict between Ethiopia and Eritrea

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

— having regard to the OAU decision to set up the OAU committee of Heads of States and its continuing mediation efforts,

A. deploring the outbreak of hostilities between Eritrea and Ethiopia, which has already resulted in a very high toll of military and civilian victims and greatly worsens the political situation in the Horn of Africa,

B. deploring bombing raids on both sides that caused the loss of many lives among the civilian population and forced part of the population to flee,

C. profoundly disturbed at the reports of abuses and human rights violations being perpetrated,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- D. recalling that after Eritrean independence in 1993, a boundary commission was set up and was meeting without major incident until a few days before the military clash took place in May 1998,
- E. recalling, however, that the last fighting between the two countries took place on 15 June and that Ethiopia and Eritrea have maintained the status quo since then,
- F. deeply concerned at the risk of further escalation in the fighting, despite various mediation attempts and the urgent appeals from the international community as a whole, and the consequent danger that the entire region might be destabilised and have to suffer the resulting long-term implications,
1. Roundly condemns the outbreak of hostilities between Ethiopia and Eritrea and addresses an urgent appeal to both parties to declare a complete and immediate cease-fire and state their willingness to seek a peaceful political solution to the territorial disputes;
  2. Calls for an immediate end to all arbitrary actions and human rights violations (arbitrary expulsions, detention, deportation, and the like) being perpetrated;
  3. Calls on the governments of Ethiopia and Eritrea to reopen their direct dialogue and keep alive the international mediation efforts;
  4. Considers that the territorial conflict between these two countries must be settled by negotiation in order to find a lasting peaceful and political solution to the problems between the two parties, and urges the two parties to settle the border dispute through the boundary commission with the help of mediators and/or through the International Court of Justice;
  5. Considers that, above and beyond the settlement of the border issue, only a clear definition of the rules governing the economic and political relations between the two countries will bring about a lasting peace, and those rules must be drawn up in a way which involves the democratic participation of the peoples concerned and on the basis of respect for both countries' legitimate interests;
  6. Supports the mediation moves being proposed by the Organisation of African Unity and other mediation efforts undertaken at international level and calls on the Council of the European Union and on the Organisation of African Unity to put pressure on the two countries to accept a political settlement of this conflict;
  7. Calls on the Council to take any useful measures to support the process of mediation by the Organisation of African Unity and to take any measures, in regard to the two parties, which promote a swift and sustainable settlement of the conflict;
  8. Calls on all political forces and all the components of civil society in Ethiopia and Eritrea to do all they can to initiate a policy of constructive dialogue with their respective governments and to refrain from any act which may lead to a dangerous escalation of the conflict;
  9. Calls on the Commission to give consistent support to the humanitarian actions on behalf of the victims of this conflict, in particular the operations of the World Food Programme, with a view to replenishing stocks and setting up an efficient system of aid distribution;
  10. Calls on the parties in conflict to respect fully international humanitarian law and call on them to cooperate fully with the humanitarian organisations operating on their territory with the aim of providing aid to the inhabitants who have been hard hit by the conflict;
  11. Resolves to send as a matter of urgency a joint mission of the ACP-EU Bureau to Eritrea and Ethiopia to ascertain the real causes of the conflict and the human rights conditions in both countries;
  12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations, the OAU and the governments of Ethiopia, Eritrea, the United States and Djibouti.

RESOLUTION<sup>(1)</sup>

## on the situation in Sudan

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to its past resolutions on Sudan,
  - having regard to the declaration of 1 May 1998 by the Presidency of the European Union,
- A. deeply concerned at the civil war which has continued in Sudan for more than 14 years and which has caused immense human suffering, particularly among civilians, gross human rights violations from all parties involved in the conflict, massive displacement, and a breakdown of economic and social structures,
- B. particularly concerned by the continuing deterioration in the humanitarian situation in southern Sudan, in particular in the region of Bhar-al-Ghazal, which threatens millions of people with starvation, and aware that the drought will only worsen the situation,
- C. outraged by the difficulties encountered by humanitarian organisations in transporting food aid and medicines, and even more so by their diversion,
- D. recalling in particular its condemnation of the repressive and anti-democratic actions of the Sudanese Government, which have taken the form of repeated violations of human rights (particularly political and religious rights), forced conscription (particularly of children) and support for international terrorism, in contempt of the numerous warnings and sanctions imposed by the international community,
- E. moreover, gravely concerned at the ongoing repression of Christians, as evidenced by the demolition of a number of Christian places of worship and the current attempts to discredit the Catholic Church,
- F. concerned at the mounting destabilisation in the Horn of Africa owing to the spread of the conflict to other border regions in Sudan (western and eastern Sudan) and the Sudanese Government's networking with rebel groups in neighbouring countries,
- G. reiterating its firm belief that the IGAD's peace initiative is the most effective means of achieving a permanent resolution of the Sudanese conflict and recalling that, at the end of the negotiations held in early May in Nairobi under the aegis of the IGAD, the Sudanese Government and the Sudanese People's Liberation Army reached agreement on the principle of a referendum on self-determination, supervised by the international community, to be held after a transitional period, the duration of which is still to be determined,
1. Once again forcefully condemns the Sudanese Government for its repeated violations of human rights and its undeniable support for international terrorist organisations;
  2. Calls on the conflicting parties to continue negotiating under the authority of the IGAD in order to overcome the differences which still divide them and to work unremittingly towards a peaceful settlement of the conflict which will put an end to the sufferings of the Sudanese people;
  3. Calls on the Commission and the Member States to allocate emergency humanitarian aid as quickly as possible in order to save the lives of the afflicted peoples, to maintain sanctions and to suspend development co-operation until the Government of Sudan refrains from human rights violations and the denial of humanitarian relief to its own people;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

4. Calls on the conflicting parties to work together, without reservations or conditions, to supply and deliver humanitarian aid and to guarantee freedom of access and movement for humanitarian agencies in the areas affected by food shortages;
5. Calls on the Sudanese Government to comply with UN Security Council Resolutions 1058 and 1070 by ratifying and implementing the UN Convention against torture and other cruel, inhuman or degrading punishment or treatment and by safeguarding human rights, respecting the rights of religious minorities, releasing unconditionally all political prisoners and extraditing the three persons suspected of involvement in the assassination attempt on President Mubarak of Egypt;
6. Furthermore, calls on the Government of Sudan to prohibit all financial, military and economic activities of terrorist-related groups in Sudan and to participate fully and sincerely in the international fight against terrorism;
7. Instructs its Co-Presidents to forward this resolution to the Council, the Commission, the UN Secretary-General, the IGAD Member States, the Government of Sudan and the leaders of the Sudanese People's Liberation Army (SPLA).

#### RESOLUTION<sup>(1)</sup>

**on the situation in the Great Lakes Region and the Democratic Republic of Congo in particular**

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - recalling its previous resolutions on the situation in the Great Lakes Region and in the Democratic Republic of Congo in particular,
- A. deeply concerned at the persistent instability in the Great Lakes Region and at the grave situation in the Democratic Republic of Congo in particular,
  - B. noting with concern the involvement of foreign forces in the conflict,
  - C. concerned by the serious destabilisation caused in the Democratic Republic of Congo by the presence on its territory of many rebel groups which use this country as a base for their offensives both within Congo and against the neighbouring countries,
  - D. concerned by the fact that these rebel groups use the civilian population as hostages and enrol even children in their forces; concerned also by the many civilian casualties which result from these activities,
  - E. stressing that the European Union must play an active role in order to ensure peace, security and stability in this part of the world,
  - F. whereas on 31 August 1998 the UN Security Council demanded an immediate ceasefire, the withdrawal of all foreign forces and the opening of a political dialogue to put an end to the civil war; whereas on the same occasion it also upheld the territorial integrity of the Democratic Republic of Congo and all regional diplomatic initiatives towards a peaceful settlement of the conflict, and called again for an international Conference on Peace, Security and Development in the region to be organised by the UN and the OAU,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).



- G. whereas any negotiated settlement in the Democratic Republic of Congo must be based on a process of national reconciliation which fully respects the equality and the harmonious coexistence of all ethnic groups, allows for the return and reintegration of refugees and displaced persons, and leads to the holding of early free and fair democratic elections,
- H. whereas the continuing presence of refugees in the Great Lakes Region, due to the persistent ethnic violence and gross human rights violations that have characterised the recent history of Rwanda, Burundi and Democratic Republic of Congo, has resulted in a tremendous humanitarian crisis, which requires the urgent attention of the international community as well as full and unconditional access to be granted to humanitarian agencies and personnel,
- I. whereas the EU, in the last four years, has contributed an amount of ECU 593 million for humanitarian aid in the region; deploring, despite this aid, the lack of a Council initiative on the conflict in Congo, and wishing to see a European Union initiative addressed to all the African countries involved in the crisis,
- J. regretting the fact that the mediation efforts undertaken since the start of the conflict have ended in failure and that the warring factions have not agreed to a ceasefire,
- K. mindful of the acts of violence and grave human rights violations committed against civilians and prisoners alike in the region,
1. Condemns all the human rights violations, summary executions, torture, harassment, ethnically motivated arrests of civilians, enrolment of children as soldiers as well as ethnic propaganda and incitement to ethnic violence, which have been openly committed in this conflict;
  2. Calls for an immediate ceasefire and for the immediate withdrawal of all foreign forces as well as for full respect for the territorial integrity of the Democratic Republic of Congo;
  3. Insists that any peace talks have to involve all parties to the conflict and must be based on the principles set out in the Security Council Declaration of 29 August 1998, in particular full respect for the peaceful coexistence of all ethnic groups and the holding of free and democratic elections as soon as possible;
  4. Welcomes the recent allocation of EUR 55.5 million in humanitarian aid by the Commission and calls on the EU to put pressure on all parties to the conflict to fully respect humanitarian law and to guarantee the forwarding of humanitarian aid and the security of humanitarian personnel;
  5. Calls on the EU to support fully the UN initiative for an international Conference on Peace, Security and Development in the region, which must address in particular the problem of refugees and displaced persons in the region;
  6. Calls for a Council initiative on the conflict in Congo and considers that a European Union initiative is needed, addressed to all the African countries involved in the crisis;
  7. Considers that ACP-EU cooperation with the Democratic Republic of Congo is vital in supporting the democratisation and development of a country which is recovering from a dictatorship and stresses that an end to all military hostilities, respect for international humanitarian conventions and human rights and the establishment of democratic institutions are prerequisites for the implementation of such cooperation;
  8. Instructs its Co-Presidents to forward this resolution to the Commission, the Council, the ACP-EU Council of Ministers, the UN, OAU and SADC Secretaries-General and the governments of the Democratic Republic of Congo, Angola, Zimbabwe, Namibia, Rwanda, Uganda, Burundi, Tanzania and South Africa.

RESOLUTION<sup>(1)</sup>

## on Congo (Brazzaville)

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

— having regard to its previous resolutions on Congo (Brazzaville),

- A. recalling that since 1993 Congo has experienced a series of events and bloody confrontations which have culminated in the emergence or strengthening of various militias, frequently recruited on an ethnic basis,
- B. deploring the population exoduses, especially in the capital, Brazzaville, during the civil war that began on 5 June and ended on 15 October 1997,
- C. noting a stabilisation in the political situation since the end of this conflict and some return to normality in the capital, Brazzaville,
- D. having regard to the Fourth Lomé Convention, especially Article 5, in which the signatory states undertake to respect political rights and democratic principles,
- E. noting the establishment by the new authorities of a government of national unity and the holding of a forum of national reconciliation to formulate procedures for a three-year transitional period to pluralistic elections supervised by Parliament,
- F. recognising the new government's efforts to devise a reconstruction programme and to resume relations with the international financial community,
- G. having regard to the operations to disarm the militias, which have been under way since the end of the recent war,
- H. concerned at the dangers of destabilisation in a region already ravaged by wars and ethnic conflicts, which continue to rage in neighbouring countries,
- I. deploring the Council's lack of initiative with regard to the crisis in the subregion,

1. Calls on the Congolese authorities to continue to implement a programme for the full restoration of the rule of law and democratic institutions, recalling that the holding of free and democratic elections is a more effective means of guaranteeing stability and economic and social development;

2. Urges the international community, in particular the European Union, to keep a close watch on the organisation of the elections and, at subsequent stages, to provide assistance in keeping with the institutional system established by the Congolese authorities;

3. Calls for the situation in Congo to be assessed in the context of a regional approach;

4. Calls on the Commission to seek resumption of technical and financial cooperation with Congo, to support the reconstruction programmes needed for any economic and social recovery, consolidating the democratic process, the starting-point for national reconciliation and the drive to eradicate all forms of corruption;

5. Calls on the Congolese authorities to complete the operations to disarm and disband the militias, given that they could still jeopardise the stability of the country;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

6. Calls on the Joint Assembly to undertake a fact-finding mission to Congo;
7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Secretaries-General of the United Nations and the OAU, and the Congolese authorities.

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## RESOLUTION<sup>(1)</sup>

### on Nigeria

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. whereas the democratic process in Nigeria was brutally interrupted in 1993 by the cancellation of the results of the presidential elections and the establishment of a military regime under General Abacha,
  - B. welcoming the significant changes that have taken place in Nigeria since General Sani Abacha's death in June this year and the Nigerian government's announcement of the forthcoming elections, the adoption of a new transition programme and its promise to respect freedoms of expression and association,
  - C. expressing its regret over the death of Chief Moshood Abiola when still in detention, whilst believing that the conditions of his incarceration contributed significantly to his early death, and extending its deepest sympathies to his family,
  - D. welcoming the Nigerian Government's decision to release a significant number of political prisoners, including 21 Ogonis,
  - E. having regard to the need to restore a genuine civilian and democratic government in Africa's most populous country,
  - F. whereas the European Union has imposed sanctions on Nigeria and suspended cooperation under the Lomé Convention,
  - G. welcoming the recent announcement by General Abubakar of a new transition programme, his presentation of the draft of a new democratic Constitution and his commitment to hand power to a civilian government in May 1999 after elections to be held under international monitoring,
1. Calls on the Nigerian Government to ensure that all stages of the electoral process are transparent and that the credibility, independence and integrity of the Independent Nigerian Electoral Committee is guaranteed, including the hiring of its staff and employees;
  2. Calls on the European Union to offer its technical support to the Nigerian Government in order to ensure that the electoral process conforms to international standards;
  3. Calls on General Abubakar to continue with his political dialogue with all the various segments of the Nigerian people in order to complete the transition to democratic government based on the rule of law;
  4. Calls on the military government to maintain its commitment not to interfere in the free formation of new political parties and in a free electoral process and to respect human rights, including freedom of expression, association and assembly;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

5. Welcomes the release of several political prisoners, including the former Nigerian Head of State, General Obasanjo, and calls for the release of all political prisoners;
6. Calls on the Nigerian Government to repeal all decrees ousting the jurisdiction of the courts, suspending constitutionally-guaranteed rights and allowing indefinite detention without charge or trial;
7. Points out that neither the sanctions imposed on Nigeria by the international community, and the European Union in particular, nor the suspension of cooperation with the country under the Lomé Convention can be lifted until human rights violations have ceased and there is a return to the rule of law and the prospect of the establishment of a legitimate civilian government;
8. Calls on the European Union to maintain the budget line entitled 'The Special Programme for Democracy in Nigeria' and calls on the Union to continue its efforts so that this budget line provides effective and targeted support to civil society in Nigeria;
9. Calls on the Council and the Commission to continue to follow the political situation in Nigeria closely, and to encourage General Abubakar to commit himself unequivocally to prosperity, freedom and democracy for the Nigerian people;
10. Calls on the Nigerian authorities unreservedly to accept the visit of a joint ACP-EU fact-finding mission in order to promote constructive political dialogue and the progress towards democracy;
11. Calls for immediate access to Nigeria to be granted unreservedly to the UN Special Rapporteur;
12. Calls once again on the European Commission to agree clear benchmarks before the Nigerian elections to assess whether a genuine and credible transition to democratic civilian rule has occurred; suggests that such benchmarks should include, inter alia:
  - an agreed legal basis for the election corresponding to international 'norms' such as those set down by the UN Human Rights Committee in its General Comment, 25(57),
  - a genuinely independent electoral commission,
  - an agreed process for establishing and finalising the electoral roll,
  - a process for the participation of political parties which allows all parts of the political spectrum to participate in elections,
  - the employment of impartial, independent observers to monitor the election process and to report on its conformity with internationally respected criteria and norms,
  - the release of all remaining detainees and political prisoners,
  - a halt to detention without trial,
  - the repeal of repressive decrees and, in particular, those which have suspended constitutional guarantees enshrining fundamental human rights and the position and independence of the judiciary,
  - freedom of expression and political assembly,
  - freedom of the press and balanced access to the state media;
13. Calls on oil companies which operate in Nigeria to respect and support international standards of human rights, and international environmental and consumer standards in the course of their operations in Nigeria, and calls on those oil companies to produce regular reports of their activities which specifically address these issues and their relation to the oil producing communities to include publication of all Environmental Impact Assessments undertaken by these companies in Nigeria over the last five years;

14. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations Security Council, the United Nations in Geneva, the OAU, the Nigerian Government, The Commonwealth Secretariat, the UNHCR and the ECOWAS Secretariat.

# RESOLUTION<sup>(1)</sup>

## on the situation in Guinea-Bissau

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to the statements by the Presidency on behalf of the European Union on the situation in Guinea Bissau,
  - having regard to the recommendations made by the Council of Foreign Affairs and Defence Ministers of the countries of the Economic Community of West African States meeting on 3 July in Abidjan,
  - having regard to the Praia Declaration adopted by the Heads of State and Government of the Community of Portuguese Language Countries meeting in Cabo Verde from 13 to 17 July 1998,
- A. concerned at the conflict which has been going on since 7 June 1998 with the direct involvement of foreign military forces and which has caused the loss of a large number of lives, the emergence of thousands of refugees, the destruction of infrastructures and material goods on a vast scale and the total paralysis of the country's social and economic activity,
- B. anxious to avoid a conflagration in the region, the stability of which could be endangered by the continuation of the conflict,
- C. extremely concerned by the threat to the lives of innocent civilians as a result of military operations which violate fundamental international humanitarian law,
- D. deploring the blockage of international humanitarian aid to the populations in need by the warring parties, which has caused shortages of food and medicines,
- E. still concerned, however, at the situation of some 250 000 persons in the country who continue to live as refugees, in particular in the provinces of Bafata and Gabu, in conditions that remain precarious despite the opening up of humanitarian corridors enabling supplies of food and medicines to be forwarded to assembly centres,
- F. having regard to the memorandum of understanding signed by representatives of the Guinea Bissau Government and the military junta under the auspices of the contact group from the Community of Portuguese Language Countries (CPLP) on 26 July 1998,
- G. whereas, on 26 August 1998 in Praia, under the joint patronage of the ECOWAS mediation committee and the members of the CPLP, the conflicting parties signed a ceasefire agreement which follows on logically from the above memorandum,
- H. whereas this memorandum provides for an immediate cessation of hostilities, the opening of humanitarian corridors and the beginning of negotiations from 12 September in Abidjan,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

I. welcoming the European Commission decision to release emergency humanitarian aid in the amount of ECU 1 million,

1. Calls on the warring factions to maintain the cease-fire and to fully implement the memorandum of understanding reached on 26 August in Praia by the Guinea-Bissau Government and the military junta and calls for the immediate withdrawal of foreign forces;

2. Calls on the parties present to commit themselves unreservedly to the path of peace negotiations so as to find a lasting solution to the crisis and bring about, as soon as possible, the restoration of the rule of law and respect for human rights and the democratic institutions;

3. Welcomes the efforts at mediation deployed jointly by the CPLP contact group and the states of the sub-region within the ECOWAS mediation committee in an effort to consolidate dialogue between the different parties and find a peaceful resolution to the conflict; supports their joint mediation in favour of a peace plan meeting with the agreement of all parties at their next round of negotiations in Abidjan;

4. Insists that any lasting peaceful solution to the conflict requires a process of national reconciliation, leading to a political solution that will ensure the respect for the independence and territorial integrity of Guinea-Bissau, and the unconditional withdrawal of all foreign troops, without prejudice to any foreign presence which may be negotiated by both sides to play a mediating role;

5. Urges the warring factions to fully respect the principles of international humanitarian law and to cooperate in order to deliver humanitarian aid to the population;

6. Instructs its Co-Presidents to forward this resolution to the Council, the ACP-EU Council, the Commission, the UN, OAU, ECOWAS and CPLP Secretaries-General, the National People's Assembly of Guinea-Bissau and the Governments of Senegal and Guinea.

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## RESOLUTION <sup>(1)</sup>

### on South Africa

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

A. noting that the South African authorities have made a significant offer on elimination of tariffs which introduces substantial concessions in favour of access for European products to the South African market,

B. reiterating that it is possible for the EU substantially to meet South Africa's aspirations for improved access to the EU market, in areas of immediate benefit and concern to South African producers, without adversely affecting European Union interests,

C. recalling the repeated commitment in the negotiation process, to the promotion of sustainable economic development for Southern Africa as a whole, made by both South Africa and the European Union to their other partners in the region,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- D. concerned that the existence of the Southern African Customs Union has not been fully taken into account during the negotiations to date,
- E. alarmed, in particular, at the absence of any concrete proposals to address the effects on customs revenue sharing arrangements, agricultural trade flows and infant industries (including motor vehicle, household electrical goods, pharmaceutical and meat processing industries) in the BLNS countries (Botswana, Lesotho, Namibia and Swaziland),
- F. recalling here the EU's commitment, within the context of its mandate for the Lome re-negotiations, to the continuation of non-reciprocal trade preferences for LDCs and in particular the need for 'additional adjustment assistance',
- G. noting therefore, with particular concern the absence of any concrete proposals to mitigate the negative consequences of the proposed FTA on the seven Least-Developed Countries of SADC,
- H. fully recognising the relevance and importance of Article 12 of the Lome IV Convention, which commits the EU to hold prompt consultations with affected ACP states — where the EU intends to take a measure which might affect the interests of these countries — before any final decision is made,
1. Regrets that the 21st Round of negotiations on Trade, Co-operation and Development Agreement with South Africa ended in stalemate and has been suspended;
  2. Calls on the EU Member States meeting in Council to grant the Commission the negotiating space to finally conclude a mutually beneficial EU-South Africa free-trade area agreement; recalls a number of concerns relating to the conclusion of a mutually beneficial agreement, in particular;
  3. Calls on the EU Member States to undertake a serious review of the agricultural exclusion list in order to improve the EU's commitment to cover 95 % of all trade in the FTA Agreement; at the same time as the exclusion list (list 5) is reviewed, progress needs to be made to list 4b (processed agricultural products which contain an element of protection linked to the CAP and certain other agricultural products); these products need to be brought back into the negotiations and should include such products as seasonal products, canned fruit (including peaches and tomatoes) and full-strength fruit juices;
  4. Closely linked to the above, calls on the EU Member States to reassert the principle of asymmetry, not just in product coverage but also in timing; there needs to be much greater movement of products currently either excluded or featuring at the end of the process or not yet determined up to the initial period of the agreement (frontloading) if the agreement is to be truly of benefit to South Africa's development;
  5. Calls on the EU Member States to review as a matter of urgency the definitions of *ad hoc* in relation to cumulation; recalls that it was agreed in April 1997 that this issue would be given prompt attention but it remains pending; stresses in this regard the need for a broader interpretation of *ad hoc* than a product-by-product, case-by-case, sector-by-sector approach; stresses that such a narrow interpretation of *ad hoc* effectively defeats the purpose of cumulation since its inherent uncertainty precludes any forward planning and is therefore a disincentive to investment;
  6. Expresses concern with regard to the related issues to wine and spirits and fisheries; calls on the EU to decouple discussions on a Fisheries Agreement and a Wines and Spirits Agreement from the main trade negotiations; with regard to wine and spirits and the principle issue of appellations with regard to port and sherry, underlines that these products are not exported to the EU but are primarily produced for the domestic market; that the terms 'port' and 'sherry' have been used in South Africa for some 200 years and have been the object of considerable domestic investment and the right to use these terms should be respected;



7. With regard to fisheries, emphasises the need for a development perspective in any future agreement in line with the South African government's White Paper 'A Marine Fisheries Policy for South Africa' of May 1997 and which emphasises, *inter alia*, conservation, proper control and management of marine resources, protection of the environment; Supports in this regard the White Paper's perspective that 'The fisheries policy is founded on the belief that all natural marine living resources of South Africa; as well as the environment in which they exist and in which mariculture activities may occur; are a national asset and the heritage of all its people and should be managed and developed for the benefit of present and future generations in the country as a whole';

8. Renews its call to the negotiating partners that the implications for the BLNS and other SADC countries be fully addressed under the envisaged agreement;

9. Calls on the Council and Commission to formulate concrete proposals to address BLNS concerns, in particular with regard to the fiscal implications (in line with Commissioner Pinheiro's announcements in the European Parliament), infant industry protection and agricultural trade flows;

10. Calls on the EU to initiate a process of consultations with the BLNS and the non-SACU countries on the regional implication of the EU-South Africa free trade area agreement in line with their obligations under article 12 of the Fourth Lome Convention, so that their concerns may be taken in to account before a final decision is taken;

11. Calls on both the negotiating partners (the EU and South Africa) to sign a joint 'statement of intent' to address BLNS concerns over the implications of the bilateral EU-SA FTA, for annexation to the final agreement;

12. Believes such a 'statement of intent' should seek concretely to address BLNS concerns with regard to: the fiscal implications of the bilateral agreement; the possible distortions of existing trade flows; the protection of infant industries and investment diversion;

13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

## RESOLUTION <sup>(1)</sup>

### on Angola

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
- having regard to the EU's declarations,
- having regard to UN Security Council Resolutions 1127, 1135, 1149, 1157 and 1195,
- having regard to the Declaration of 14 September 1998 by the SADC Heads of State and Government,
- having regard to the EU sanctions against UNITA,
- A. having regard to its previous resolutions on the war and the peace process in Angola, particularly that of 23 April 1998,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

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- B. reaffirming that the international community and the EU must continue to support fully the peace process in Angola which began in 1994 with the Lusaka accords,
- C. regretting that recent developments in the political situation in Angola are a serious threat to the peace process and to the implementation of the Lusaka protocol,
- D. deploring the fact that, despite reiterated calls from the international community, particularly the one issued by the Security Council on 25 August 1998 for UNITA to stop impeding the peace process, UNITA has not respected its commitments under the Lusaka protocol and the Angolan Constitution,
- E. whereas, in particular, UNITA is violating the peace agreement, particularly by retaining the nucleus of its army and by refusing to allow the establishment of the central state administration to be completed,
- F. regretting the fact that UNITA has decided to break off all contact with Portugal, the United States and Russia, the three countries observing the peace process,
- G. regretting that this development, which constitutes a grave setback to the peace process, has led the Angolan Government to dismiss four of its ministers and seven deputy ministers belonging to UNITA and has led Parliament to suspend its 70 UNITA Members until such time as UNITA clarifies its commitment to the peace process,
- H. whereas the situation has already led to internal divisions within UNITA,
- I. regretting the fact that fighting has resumed in the province of Lunda Norte, control over which is of strategic importance for diamond production,
  - 1. Supports the UN Security Council resolutions and the declaration by the SADC Heads of State or Government, which, as in previous cases, blame and condemn Jonas Savimbi and UNITA for obstructing implementation of the Lusaka agreement; requests that the international community seek to isolate Savimbi and UNITA politically, militarily, and economically;
  - 2. Reiterates its desire for the Lusaka peace accords and protocol to be implemented fully, in a spirit of national reconciliation;
  - 3. Urges Jonas Savimbi and UNITA, observing the spirit of the UN Security Council resolutions, to cease all hostilities and, without delay, to comply with the commitments given in the Lusaka protocol;
  - 4. Calls on UNITA to comply strictly with the obligations to which it subscribed under the terms of the Lusaka protocol, in particular by implementing the nine-point plan adopted on 9 January 1998 for the implementation of the Lusaka protocol, which more particularly concerns:
    - the disarmament and rapid demobilisation of the remainder of its troops, which must be confirmed by a declaration issued by UNITA,
    - the completion of the establishment of the central state administration;
  - 5. Condemns the decision to suspend the members of the GNUR and the 70 Members of Parliament representing UNITA in what is tantamount to a grave breach of the Lusaka agreements and of United Nations Security Council resolutions and to contempt for the most basic democratic principles;
  - 6. Urges the Angolan Government to reincorporate the UNITA representatives into the Government of National Unity and into Parliament, in order to help restore mutual confidence between the parties, contribute to the resumption of the peace process and ensure that the Lusaka protocol is fully implemented;

7. Calls on the international community, particularly the EU, to increase pressure in order to ensure that all the obligations entered into under the Lusaka protocol are complied with and to do everything in its power to prevent the collapse of the peace process and a resumption of hostilities and, to this end, calls for unconditional support for the action of the new special UN representative, Mr Issa Diallo;
8. Calls on the United Nations Security Council to maintain a strong presence in the country until the peace process is complete;
9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN Security Council, the Government of Angola and UNITA.

# RESOLUTION<sup>(1)</sup>

## on continuing support for the peace agreement in Bougainville

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to its resolution of 23 April 1998 on the situation in Bougainville,
  - having regard to the ongoing peace process in Bougainville,
  - having regard to the report on the mission to Papua New Guinea, including Bougainville and the Solomon Islands,
  - having regard to the Burnham Truce of July 1997, the Lincoln Agreement of January 1998, the Arawa Implementation of the Cease-fire Agreement of April 1998, the total rescinding of the call-out order by the Government of Papua New Guinea in August 1998 and expected instalment of a UN Observer Mission in Bougainville,
- A. complimenting the different parties involved in the peace process for their efforts and New Zealand for its intervening role,
  - B. whereas significant funds for the reconstruction and development have now been pledged following the signing of the cease-fire on 30 April,
  - C. whereas emergency aid should now have begun to reach the people of Bougainville,
1. Welcomes the recent achievements in the ongoing peace process (the Arawa Implementation, the rescinding of the call-out order, the expected establishment of a permanent UN observer mission) and congratulates all parties for their strict adherence to the terms of Truce;
  2. Is in anticipation of the establishment of the Bougainville Reconciliation Government at the end of 1998 and will continue to support the parties in the peace process; expresses its wish that further negotiations will continue with similar promising results as in the past;
  3. Deeply regrets that, to date, Mr Francis Ona, President of the BIG, is still not taking part in the peace process; calls on Mr Ona to engage positively in the peace process in the near future;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

4. Welcomes the start of reconstruction activities, although emphasising the importance for further assistance in the areas of the economy, infrastructure, education, health, and material and political support for the future Bougainville Reconciliation Government to ensure social stability and therefore to support the ongoing peace process;
5. Notes with satisfaction that Bougainville has received financial support from STABEX funds, the European Development Fund and ECHO, and welcomes the rapid provisional agreement between the European Commission and the Government of Papua New Guinea on the allocation of new Stabex funds for the rehabilitation of the agricultural sector in Bougainville, calls on the Commission to formalise this agreement and transfer the funds as soon as possible;
6. Calls on the Commission to evaluate the effects of the assistance provided to date and to provide details of any further assistance necessary to ensure the solidity of the cease-fire and the well-being of the people on this war-torn island;
7. Re-emphasises the importance of complete transparency in the allocation and utilisation of funds, in order for everybody, and in particular the Bougainvilleans, to be reassured that all aid goes where it is intended; therefore asks the Commission to take measures to address this concern;
8. Emphasises the importance of the rapid reconstruction of the educational system and asks that special attention be given to the needs of the youth who, because of the war, have been deprived of basic education;
9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission, the Governments of New Zealand, Australia and Japan, the South Pacific Forum and the United Nations.

# RESOLUTION<sup>(1)</sup>

## on the debt burden of the ACP countries

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. whereas the debt burden of many ACP countries constitutes a serious obstacle to social and economic development and whereas the service of this debt absorbs resources that should rather be allocated to human development to the benefit of future generations,
- B. whereas debt constitutes a heavy burden on all the ACP States, whereas it represents a serious obstacle to social and economic development and whereas it hampers investment intended to preserve biological diversity (biodiversity) and protect the environment,
- C. whereas 35 of the 41 countries listed by the IMF and the World Bank as heavily indebted poor countries are ACP countries,
- D. noting, furthermore, that many loans made to the ACP countries in recent years have been granted in order to ensure the financing of existing debt or to enable interest payments to be made on existing loans, and not in order to implement new investments, leading to a paradoxical situation in which poverty is being exacerbated, and noting that it is essential to break this vicious circle,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- E. having regard to the priority objectives for the new relations between the European Union and the ACP countries, in particular the fight against poverty and the gradual integration of those countries into the world economy,
- F. convinced that one of the necessary measures to achieve these objectives is to write off a part of the debt and that the European Union, as the most important donor of development aid in the world, must be involved in such a measure,
- G. whereas the Council recently adopted the proposal concerning EU participation in the initiative launched in 1996 by the IMF and the World Bank for the reduction, to a sustainable level, of the debt of highly indebted poor countries (HIPC initiative),
- H. whereas this initiative will probably be limited to about 20 countries, among 41 potential candidates, and whereas the very restrictive criteria of the scheme, as well as its objectives, represent in reality an inadequate answer of the international community compared to the gravity of the problem,
1. Reaffirms its request for the cancellation of the debt of the least-developed ACP countries and for the rescheduling of the debt of all other ACP countries and recommends that at least 50 % of the total debt (both bilateral and multilateral) of the other ACP countries be allocated to the financing of projects which can help preserve biological diversity and protect the environment in those ACP countries;
2. Calls on the Council to implement a global strategy in the various international organisations in order to obtain a substantial reduction, if not an outright cancellation, of the debt burden which afflicts the poorest populations of the world;
3. Welcomes very warmly the European Union's decision to take up the international initiative in favour of the most heavily indebted countries, but considers that it must agree to additional steps to ease debt, which can take the form of outright cancellation of the loans that it has issued to the least developed ACP countries;
4. Considers that the HIPC initiative represents an initial global and concerted approach by creditors towards the debt crisis of the poorest countries; also considers that this initiative has considerable weaknesses, in particular as a result of the rigid eligibility criteria;
5. Regrets that implementation of structural adjustment programmes by the poorest countries should be an absolute condition in order to take advantage of the HIPC initiative; calls, therefore, for human development and social indicators to be included among the criteria for eligibility under the HIPC initiative;
6. Considers that the structural adjustment strategies in their present form do not enable the structural weaknesses of the heavily indebted poor countries to be remedied and that they should not be used as a condition of benefitting from the debt alleviation programme;
7. Calls for flexible implementation of the HIPC initiative so that it benefits the largest number of countries in the light of their specific situations, provided that sound economic and financial policies are implemented;
8. Invites the Member States, too, to cancel their bilateral loans to the least developed ACP countries which are among the most heavily indebted countries;
9. Considers, in particular, that steps must be taken to ensure that the resources released by debt cancellation or reduction are used to finance investment in social sectors and to fund human development projects geared to the vital needs of the population;
10. Calls on the European Union and its Member States to take a package of appropriate measures to increase the developing countries' export revenues, in particular:
- a) by enhancing the value of commodities locally;
  - b) through fairer payment for commodities and the conclusion of new agreements on raw materials;
  - c) by taking greater account of their interests in international trade, particularly in the context of the WTO and the new GSP;

11. Calls on the negotiators of the new partnership agreement between the EU and the ACP countries to find a viable solution to the debt crisis;
12. Reiterates its call for the industrialised countries to set aside 0,70 % of their GNP for development aid to the developing countries;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the international financial institutions.

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RESOLUTION <sup>(1)</sup>

on debt

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. whereas the burden of debt is jeopardising the economic and social development of the ACP States, by placing those countries in a financial strait-jacket in which the usual victim is expenditure on national social programmes,
- B. concerned by the fact that debt payments by the ACP States absorbs a significant percentage of their export earnings,
- C. whereas the external debt of the 52 most heavily indebted countries has risen from \$84 billion to \$235 billion in the space of 15 years,
- D. whereas a substantial proportion of publicly-funded development aid is used by the developing countries in repayments to international financial institutions,
- E. noting, furthermore, that many loans made to the ACP countries in recent years have been granted in order to ensure the financing of existing debt or to enable interest payments to be made on existing loans, and not in order to implement new investments, leading to a paradoxical situation in which poverty is being exacerbated, and noting that it is essential to break this vicious circle,
- F. whereas in recent years a consensus has emerged which recognises that excessive indebtedness may be a major obstacle to growth, and that solidarity with developing countries makes it necessary to reduce or even cancel their debt, thereby giving them the means to concentrate on combating poverty,
- G. agreeing that it is necessary to ensure that the ACP States do not return to a situation of over-indebtedness and that they must therefore demonstrate their will to manage their economies more rigorously,
- H. believing that the question of the ACP countries' debt will have to be dealt with in connection with the negotiations on a new cooperation agreement between the European Union and the ACP countries, and that this future partnership agreement will have to explore new avenues to resolve this problem,
- I. welcoming with satisfaction the joint international initiative by the World Bank and the International Monetary Fund ('initiative on the debt of the most heavily indebted poor countries'), who are launching a multilateral plan to reduce the indebtedness of around 20 countries — including some ACP countries — which should enable \$7 billion in loans to be written off, and welcoming the fact that lenders have finally realised the need to coordinate their actions,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

J. welcoming the decision by the Council to ensure that the European Union is fully involved in this initiative, by granting financial assistance in the form of loans to the 11 ACP States which are eligible for it, and which will thus see the volume of their external debt vis-à-vis the EU reduced and will be able to meet their obligations (debt repayment and debt servicing),

1. Welcomes very warmly the European Union's decision to take up the international initiative in favour of the most heavily indebted countries, but considers that it must agree to additional steps to ease debt, which can take the form of outright cancellation of the loans that it has issued to the least developed ACP countries;

2. Considers that measures to ease or cancel the ACP countries' debt must be accompanied by terms to ensure, as far as possible, that those States do not return to a comparable situation of over-indebtedness;

3. Considers, in particular, that steps must be taken to ensure that the resources released by debt cancellation or reduction are used to finance investment in social sectors;

4. Suggests that the ACP States may renegotiate their interest rates at current market rates;

5. Invites those negotiating the new partnership agreement between the EU and the ACP countries to show imagination with regard to the method of financing the measures to ease and cancel the ACP countries' debt;

6. Instructs its Co-Presidents to forward this resolution to the Council, the Commission and the international financial institutions.

## RESOLUTION<sup>(1)</sup>

### on education and training in the ACP countries

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
- having regard to the resolutions previously adopted by the Joint Assembly on the subjects of education, training, child labour and women's rights,
- having regard to the report on the Commission Communication on the guidelines for the negotiation of new cooperation agreements with the African, Caribbean and Pacific (ACP) countries (A4-0085/98 — Rocard report),
- having regard to its general report on the importance of the UN World Conferences of 1990 to 1996 for cooperation between the European Union and the ACP States in the context of the Lomé Convention, which was adopted at the meeting of 27 to 31 October 1997,
- having regard to the world conference entitled 'Training for All' which took place in March 1990 in Jomtien (Thailand) and recalling the Ouagadougou Declaration and the action platform of the UNESCO Pan-African Conference on the training of young girls (Burkina Faso, 1993),

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).



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- A. convinced that the right to education is a fundamental right, to be granted equally to all human beings,
  - B. whereas education and training are vital aspects of development and, for that reason, should be one of the priority objectives of the EU's development cooperation policy,
  - C. whereas priority must be given to basic education for children and adults and having regard to the importance of such education in terms of social cohesion and the integration of the individual into society,
  - D. concerned at the fact that education budgets in particular are among the victims of economic and financial difficulties which are frequently caused by indebtedness which is no longer sustainable,
  - E. deploring the fact that, worldwide, 110 million children do not attend school and that the majority of them are used to provide labour,
  - F. whereas child labour is a major obstacle to their education and whereas, therefore, financial incentives must be devised to prevent child labour as far as possible,
  - G. whereas the education and training of women have been neglected in some developing countries, despite their proven positive effect on the dissemination of knowledge, on family incomes and, more generally, on the socio-economic situation of the countries concerned,
  - H. whereas, therefore, better education of women would confer considerable benefits on society at large,
  - I. whereas education raises the prospects of sharing in the collective life of society, improves individual quality of life, increases labour productivity and opens the way to paid work and higher wages,
  - J. whereas the education and training given to the populations of developing countries should include practical instruction on health and the local economy,
  - K. having regard to the particular situation of refugees and displaced persons, who are cruelly deprived of the opportunity to receive education and/or training,
  - L. having regard to the need to secure the active involvement of teachers, parents and local authorities and organisations in setting up an optimum education system,
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- 1. Maintains that, in the first place, nation-wide access to basic education must be guaranteed in order to improve the educational standard of the broad mass of each country's population and considers that everything possible must be done to ensure that children have access to appropriate basic education and several years of schooling;
  - 2. Maintains that compulsory schooling for all boys and girls must be introduced without exception;
  - 3. Stresses that basic education and primary teaching must be based on the principle of equality of access, in particular in the case of young girls and children from disadvantaged sections of the population;
  - 4. Considers, moreover, that efforts to make adults of both sexes fully literate and to provide them with training should be redoubled, failing which sustainable development will be impossible;
  - 5. Considers that educational methods and objectives must take into account the cultural, economic and social realities of the ACP countries and that it must therefore be for each country to determine them, while ensuring that local authorities are closely associated with all decisions taken in this connection;

6. Maintains that both the teaching of manual skills and the imparting of knowledge in the pure sense are of major importance and that at least some vocational training must be provided on completion of schooling;
  7. Points out that child labour cannot be eradicated unless families receive alternative income to replace children's wages and considers that strategies to prevent child labour should be drawn up and that financial incentive measures, such as school allowances, should be adopted, in order to dissuade parents from making their children work and to enable them to send them to school;
  8. Considers that the situation of children in disaster areas and in refugee camps or those for displaced persons must be taken into account; in the latter cases they must, as far as possible, receive education in their language of origin in order to facilitate their return home;
  9. Considers that it is important for children to be educated in their mother tongue from a very early age;
  10. Suggests that, in view of the difficulty of marshalling sufficient resources, educational and vocational training requirements are planned in a realistic manner, taking account of the economic needs of the country;
  11. Considers that the resources allocated by the EU to the ACP countries must be redeployed by being channelled into social programmes, particularly education; suggests that a percentage of EDF appropriations should be earmarked specifically for education and training, and considers that these issues must be broached during the negotiations on a new cooperation agreement between the ACP countries and the European Union;
  12. Stresses that the education and training system needs to be improved by providing teachers with training, including in-service training, and paying them fairly in accordance with their qualifications;
  13. Encourages the ACP countries to cooperate on a regional basis in the education field, by organising twinning and exchanges between educational establishments and universities;
  14. Considers that priority should be given to vocational training directly linked to employment;
  15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION<sup>(1)</sup>

## on health and Aids

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to its previous resolutions on health and HIV/Aids,
  - having regard to the general report by Mrs Junker on the importance of the UN World Conferences of 1990 to 1996 for cooperation between the European Union and the ACP States in the context of the Lomé Convention, adopted at the session in Lomé from 27 to 31 October 1997,
  - having regard to the outcome of the UN-sponsored International Conference on Population and Development, held in Cairo in 1994, and in particular to the action programme, which lays down a new basis for international cooperation,
  - having regard to the latest UNAIDS-WHO report (published in December 1997),
  - having regard to its previous resolutions on women, the UN World Conference on Women, held in Beijing in 1995, Aids/HIV, the UN International Conference on Population and Development in Cairo in 1994, and the World Social Summit in Copenhagen in 1995,
- A. deeply alarmed at the constant spread of Aids in the developing countries and the fact that over 80 % of people infected with the HIV virus will be living in developing countries in the year 2000; and likewise expressing its disquiet at the WHO projections,
  - B. whereas Aids is severely impeding development on account of its social and economic repercussions,
  - C. whereas Aids erodes, destroys and impoverishes human communities,
  - D. whereas the advance of Aids has been largely lost to sight in the countries affected, especially in Africa, because of the economic crisis and political and social problems; whereas, in addition, the spread of Aids is imposing an intolerable burden on health budgets, already hard hit by structural adjustment, debt, and the economic crisis,
  - E. whereas treatment schemes and health systems in the ACP States, where other endemic diseases such as malaria and tuberculosis are already rampant, are wanting in several respects and as a rule hampered by a shortage of medical and paramedical personnel and serious difficulties in the organisation of patient care,
  - F. alarmed at the fact that poverty, malnutrition, the absence of elementary conditions of cleanliness and precarious livelihoods have been joined by the disastrous effects of armed conflicts and large-scale population displacements, and whereas all these factors combined make people even more vulnerable to epidemics and opportunistic infections,
  - G. having regard to the disastrous consequences of the Aids epidemic for individuals, families, and above all women, who pay a particularly high price because they are in danger of contaminating their children when pregnant,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- H. having regard to the higher than average maternal and infant mortality in many ACP States,
- I. whereas prevention and treatment of sexually transmitted diseases, including HIV/Aids, is or should be part and parcel of reproductive health care,
- J. concerned about the inadequate health care provided to pregnant women and babies and the serious problems related to reproductive health,
- K. having regard to the definition of basic social services laid down in Oslo in 1995, which covers basic education, basic health services, including reproductive health and birth and family planning, food security, drinking-water supplies, sewage disposal, and official provision for the foregoing,
- L. aware that low literacy rates in developing countries pose an obstacle to an effective information, education, and publicity campaign,
- M. whereas research facilities in the ACP States are inadequate or indeed non-existent,
- N. particularly concerned at the fact that the pharmaceutical industry is gradually withdrawing from research into transmissible tropical diseases, which nonetheless account for most of the burden of morbidity in the countries in the inter-tropical zone,
- O. whereas treatment for common diseases which are endemic in most of the inter-tropical zone is generally inaccessible for more than three out of four victims, owing to their lack of purchasing power,
- P. concerned to note that pharmaceutical counterfeiting is rapidly increasing and that trafficking in counterfeit drugs poses a threat to the health and even the life of the populations of developing countries,
- Q. Welcoming the EU's stated commitment to support the developing countries' efforts to strengthen their health systems, focusing on sustainable effective systems, in particular for the poorest,
- R. whereas, if all the diseases which affect the developing countries and, in particular, Aids are to be eradicated, the ACP States and the European Union must enter into a joint commitment and adopt a strategy spanning many sectors, including medical research, training, prevention, and care of persons living with HIV/Aids,
1. Calls on the Union to grant increased technical and financial assistance to the ACP States under the EDF and development cooperation operations to enable them to redouble their efforts in the field of health and more especially to combat the HIV virus, aimed for instance at:
- supporting reform of health systems,
  - improving and developing health service facilities,
  - continuing and stepping up information and education campaigns on Aids,
  - encouraging the use of condoms and making them more readily available by lowering costs and improving distribution channels,
  - providing better initial and in-service training for medical and paramedical personnel,
  - strengthening blood transfusion services, not least by means of systematic screening for the HIV virus and sexually transmitted diseases, and improving the conditions under which blood is stored,
  - devising a specific prevention and sex education policy aimed at children and teenagers,

- promoting literacy, especially among women,
  - supplying populations with drinking-water,
  - organising the storage and destruction of waste, including waste from medical and biological activities,
  - conducting epidemiological surveys, developing monitoring systems, and making use of qualitative and quantitative indicators;
2. Calls on the Union and the ACP States to intensify their cooperation as regards staff training, exchanges of health personnel, especially in the hospital sector, and partnerships between hospitals and universities in the Union and ACP countries;
  3. Calls for the adoption of specific policies on treating concomitant diseases which afflict Aids sufferers (tuberculosis, children's diseases, transmission from mother to child, diarrhoea and other associated processes), which will make it possible to prolong the lives of Aids sufferers and improve their quality of life;
  4. Believes that the Union and the ACP States need, as a matter of urgency, to establish a system of solidarity to enable the latter countries not only to take part in medical research, but also to derive greater benefit from the advances that medical research brings about;
  5. Believes that an International Therapeutic Solidarity Fund should be set up to reduce inequalities as regards access to medicines;
  6. Calls on the Commission to cooperate with the WHO, NGOs and the health ministers of the ACP countries in implementing programmes to inform and increase the awareness of people about the dangers of taking counterfeit drugs;
  7. Considers it necessary to step up cooperation involving NGOs, local organisations, and the various national programmes to combat Aids;
  8. Calls for Aids prevention to be covered under sex education and sexual hygiene programmes, family planning programmes, and programmes for the prevention and treatment of sexually transmitted diseases and tuberculosis;
  9. Maintains that medical development projects cannot achieve their goals unless they extend over the long term, enabling expenditure to be implemented and equipment supplied on a continuous basis, and medical information can be made to fit into the local cultural context;
  10. Invites the European Union to step up its cooperation with the ACP countries in the health field, either through the European Union budget or through the new agreement which is intended to replace the Lomé Convention;
  11. Calls on the Commission to help set up a database of policies and methodologies for combating Aids to serve as a permanent point of reference for the development of the epidemic and its treatment;
  12. Believes that it is necessary to stress the reduction of the Aids-causing co-factors such as extreme poverty, malnutrition, undernourishment and unhygienic conditions;
  13. Calls on the EU to contribute further in this area at the preliminary stage by financing a feasibility assessment of an essential package for pregnant women in ACP countries, which would include different options for HIV testing and counselling, breast-feeding or bottlefeeding, and other priority actions;
  14. Calls for special attention to be devoted to the situation of orphans and to preventing transmission of HIV from mother to child;

15. Stresses, however, that special care should be taken not to discriminate between allocations for care to people with and without HIV/Aids, and that special efforts should be made to focus available public funds on basic care for the poorest;
  16. Calls on the EU Commission to continue its efforts in encouraging the development of microbicide, which would enable women in ACP countries to protect themselves more effectively from infection with HIV/Aids;
  17. Voices its concern because world-wide research into HIV vaccines (both public and private) represents less than 7 % of annual global research and development expenditure on HIV/Aids and expresses alarm at the fact that, out of this total of \$160 m spent on vaccine research, only \$5 m per year is spent on vaccines for potential use in developing countries;
  18. Strongly urges the EU and ACP governments to support efforts by the International Aids Vaccine Initiative aimed at encouraging the private sector to invest in the development of vaccines suitable for use in ACP countries;
  19. Calls on the EU Member States and the ACP States to implement the decisions taken at Cairo in anticipation of the forthcoming fifth anniversary of the Conference in 1999 and ensure that reproductive health care becomes universally available by the year 2015;
  20. Calls on the EU Member States to use their influence with a view to providing family planning services, proper locally based welfare services for pregnant women, and the necessary gynaecological care, since these enable women to avoid both unwanted and unplanned pregnancies and abortions performed inexpertly under unhygienic conditions and to protect themselves from sexually transmitted diseases such as HIV/Aids;
  21. Calls on the EU Member States and the ACP States to ensure that comprehensive reproductive health services, advisory services, and basic health services are available for use, in particular by vulnerable groups denied proper care, for example children and young people, female refugees, and internal exiles, who are in danger of falling victim to ignorance or physical or sexual violence;
  22. Calls on the EU and ACP States to recognise the right of sexual self-determination and reproductive rights as human rights and consequently encompass them within the political dialogue;
  23. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION <sup>(1)</sup>

## on biodiversity and the environment

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 21 to 24 September 1998,

- A. noting the urgent need to protect the biodiversity of the planet,
- B. having regard to the vast genetic resources of the developing countries, which contain 86 % of the higher plant species,
- C. whereas six years after the Rio Conference a considerable number of species are still disappearing each day, forests are shrinking and old-growth forests are degrading, fish stocks are dwindling, drinking water is polluted and the global temperature is rising,
- D. recognising that biological diversity is the mainstay and source of livelihood for the majority of the population in Africa, and that Africa is particularly rich in biological resources in the form of diverse crops and medicinal plants and immense wildlife resources,
- E. recognising that biological resources have been maintained and nurtured by generations of Africa's local and indigenous communities, in particular rural communities such as farmers, hunter-gatherers and local healers whose very existence has almost exclusively been dependent on such resources,
- F. noting that the bulk of biological diversity and the knowledge and technologies of how to use it is found in the local and indigenous communities of the South. The poor and hitherto marginalised people of the world have therefore, in recent decades, come to figure as the most important players in many biological resource-based sectors world wide and, in particular, in developing countries,
- G. stressing that the developing countries have thus far taken the view that their genetic wealth is a natural resource for the benefit of humankind,
- H. whereas the Convention on Biological Diversity (CBD), which was signed by 150 States in 1992, which came into force in 1993 and which is currently adhered to by 170 nations, is responding to the increasing recognition of the great contribution of local and indigenous communities to the conservation, maintenance and sustainable use of the world's biological resources,
- I. recalling that the CBD requires signatories to protect and promote the rights of communities, farmers and indigenous peoples with respect to their biological resources and knowledge systems, as well as the equitable sharing of benefits arising from the commercial use of communities' biological resources and local knowledge, and asserts that intellectual property rights must not conflict with the conservation and sustainable use of biodiversity,
- J. whereas the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs), which came into force on 1 January 1995 as a result of the last round of GATT negotiations and which also gave rise to the establishment of the World Trade Organisation (WTO), sets up the first global system of intellectual property rights on biological diversity, and specifically plant varieties,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).



- K. noting that TRIPs obliges member countries to adopt either patents or an effective *sui generis* (unique) IPR system for plant varieties at national level [Article 27(3)(b)] which must be implemented by developing countries by the year 2000 and in least-developed countries by the year 2005 respectively,
- L. noting that TRIPs was expressly designed to ensure that intellectual property rights could be universally applied to all technologies, especially those which had previously been declared unsuitable for monopoly rights at national level (including pharmaceutical products and biological materials such as plants and micro-organisms), all of which must now be subject to private property rights by IPRs,
- M. concerned that, as a result of TRIPs obligations, the majority of developing countries will need to provide some form of intellectual monopoly rights on food and medicinal biodiversity for the first time, that farmers' access to diversity, their choice of planting material and options for management systems will be significantly impaired, and their rights to save and exchange seed will be legally restricted, if not prohibited, because of protections granted only to the interests of monopoly holders,
- N. further concerned that corporations will be able to secure legal ownership of the world's biodiversity which contains genetic information obtained from the South's farmers' own field, which they then sell back to them for enormous profits, that biodiversity and associated community knowledge systems intended to be protected by the CBD and which form the basis of the adaptability of agriculture will be lost and that food security and agricultural innovation will severely decline,
- O. whereas Article 27(3)(b) of the TRIPs agreement will be reviewed in 1999, and whereas this means that the obligation to provide patent or *sui generis* rights on plant varieties can be removed before member countries are obliged to implement it, thus providing the opportunity to remove this obligation from the WTO framework,
- P. believing that, in order to ensure that the world's biodiversity is protected, conserved and sustainably utilised for the survival and well-being of the vast majority of the human population of nation states, the local communities and indigenous peoples constantly keep adapting, generating and regenerating these biological resources, knowledge and technologies for present and future generations,
1. Stresses the vital importance of the planet's genetic resources for all humankind, and calls for the preservation of biological diversity, the sustainable use of its components and the just and equitable sharing of the advantages deriving from the exploitation of genetic resources;
  2. Emphasises the principle enshrined in the CBD concerning the sovereign rights of all countries to their own genetic resources and asks that this principle be respected in legislation and international agreements;
  3. Urges the full development of the CBD as an international instrument to ensure the sustainable use and conservation of biodiversity, based on community control of resources and the sovereign rights of States to determine access to such resources;
  4. Calls on the recognition and affirmation of the precedence of the CBD over any other international agreement on matters relating to biological diversity;
  5. Stresses how important it is to ensure appropriate technology transfer to the developing countries, since the deployment of properly adapted techniques is an essential condition for preserving and ensuring rational and sustainable exploitation of genetic diversity;

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6. Demands that the indigenous peoples be included as participants in decision-making on in-situ conservation measures affecting them, in particular the establishment and management of protected areas; calls, in this context, for respect for the economic, social and cultural rights and land rights of indigenous peoples;
7. Calls for the WTO rules to be revised and for new ecological and social criteria to be adopted for regulating world trade;
8. Urgently calls for the 1999 review of Article 27(3)(b) of the TRIP Agreement to take into account the objectives and provisions of the CBD and to maintain the option of excluding all life forms and related knowledge from IPR protection;
9. Condemns the exportation to the countries of the southern hemisphere of a certain number of dangerous products such as pesticides, biocides and dangerous medicines which are banned for public health, environmental protection or safety reasons in the industrialised countries;
10. Notes that there is a need for a detailed and comparable inventory of species to enable the situation of threatened species to be assessed, evaluated and improved; calls on the ACP countries and the EU to make an inventory of and to conduct research into natural resources (species, ecosystems and habitats) and to set up databases and gene banks; asks the EU to assist the ACP countries in these activities with technical and financial means;
11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the WTO and the secretariat of the CBD.

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#### RESOLUTION <sup>(1)</sup>

##### on biodiversity and environment

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. recognising that biological diversity is the mainstay and source of livelihood for the majority of the population in Africa, and that Africa is particularly rich in biological resources in the form of diverse crops and medicinal plants and immense wildlife resources,
- B. recognising that biological resources have been maintained and nurtured by generations of Africa's local and indigenous communities, in particular rural communities such as farmers, hunter-gatherers and local healers whose very existence has almost exclusively been dependent on such resources,
- C. noting that the bulk of biological diversity and the knowledge and technologies of how to use it is found in the local and indigenous communities of the South. The poor and hitherto marginalised people of the world have in recent decades, therefore, come to figure as the most important players in many biological resource based sectors world wide, and in particular, developing countries,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- D. having regard to the Convention on Biological Diversity (CBD) signed by 150 States in 1992 and which came into force in 1993, currently adhered to by 170 nations, which is responding to the increasing recognition of the great contribution of local and indigenous communities to the conservation, maintenance and sustainable use of the world's biological resources,
- E. recalling that the CBD requires signatories to protect and promote the rights of communities, farmers and indigenous peoples with respect to their biological resources and knowledge systems, as well as the equitable sharing of benefits arising from the commercial use of communities' biological resources and local knowledge, and asserts that intellectual property rights must not conflict with the conservation and sustainable use of biodiversity,
- F. having regard to the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPs) which came into force on 1 January 1995 as a result of the last round of GATT negotiations, which also gave rise to the establishment of the World Trade Organisation (WTO), an agreement which set up the first global system of intellectual property rights on biological diversity, and specifically plant varieties,
- G. noting that TRIPs obliges member countries to adopt either patents or an effective sui generis (unique) IPR system for plant varieties at a national level [Article 27,3(b)] which must be implemented by developing countries by the year 2000 and in least-developed countries by the year 2005 respectively,
- H. noting that TRIPs was expressly designed to ensure that intellectual property rights could be universally applied to all technologies, especially those which had previously been declared unsuitable for monopoly rights at the national level, which include pharmaceutical products and biological materials such as plants and micro organisms, all of which must now be subject to private property rights by IPRs,
- I. concerned that as a result of TRIPs obligations, the majority of developing countries will need to provide some form of intellectual monopoly rights on food and medicinal biodiversity for the first time, that farmers' access to diversity, their choice of planting material and options for management systems will be significantly impaired, and their rights to save and exchange seed will be legally restricted, if not prohibited, because of protection granted only to the interests of monopoly holders,
- J. further concerned that corporations will be able to secure legal ownership of the world's biodiversity including genetic information obtained from the South's farmers' own field, which could then be sold back to them for enormous profits, that biodiversity and associated community knowledge systems which ought to be protected by the CBD and which form the basis of the adaptability of agriculture, will be lost and food security and agricultural innovation will severely decline,
- K. whereas Article 27,3(b) of the TRIPs agreement will be reviewed in 1999, and this means the obligation to provide patent or sui generis rights on plant varieties can be removed before member countries are obliged to implement it, providing the opportunity to remove this obligation from the WTO framework,
- L. believing that, in order to ensure the world's biodiversity is protected, conserved and sustainably utilised for the survival and well-being of the vast majority of the human population, the local communities and indigenous peoples must constantly keep adapting, generating and regenerating these biological resources, knowledge, and technologies for present and future generations,
1. Affirms the basic assumption that the conservation and sustainable use of biodiversity is based on the sovereign rights of States and the rights and empowerment of local communities which inspired the CBD from the outset;

2. Urges the full development of the CBD as an international instrument to ensure the sustainable use and conservation of biodiversity, based on community control of resources and the sovereign rights of States to determine access to such resources;
3. Calls for the recognition and affirmation of the precedence of the CBD over any other international agreement on matters related to biological diversity;
4. Urgently calls for the 1999 review of Article 27,3(b) of the TRIP Agreement to take into account the objectives and provisions of the CBD and to maintain the option of excluding all life forms and related knowledge from IPR protection;
5. Calls for the implementation of TRIP's Agreement, insofar as it concerns biological resources, to be supportive and not run counter to the objectives of the CBD;
6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the WTO and the secretariat of the CBD.

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#### RESOLUTION <sup>(1)</sup>

##### on mining developments and their environmental aspects

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. whereas development and the protection of the environment have consistently been twin goals of the successive Lomé Conventions, and remain an essential part of ACP-EU cooperation,
- B. whereas the sustainable management of natural resources and the effects of economic growth on the environment together constitute a concern shared by the contracting parties, and one which highlights their mutual dependence,
- C. whereas in most ACP countries, mining offers potential for development, not only in terms of industrial operations requiring substantial investment, but also in terms of small and medium-sized mining operations which generate a range of economic activity in these countries,
- D. whereas the principal objectives of Article 99 of the Fourth Lomé Convention were, and remain, the exploitation of all types of mineral resources in such a way as to ensure that mining operations are profitable both on the export market and at home, while heeding environmental concerns, and at the same time developing the human resource potential with a view to promoting and expediting diversified socio-economic development,
- E. whereas the Lomé Convention stresses the mutual dependence of the contracting parties in this sector, and whereas the said parties continue to be concerned by the effects of economic growth on the environment and the management of natural resources,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- F. whereas the special funding facility (Sysmin), inaugurated by Lomé II, continues to be an important part of the 8th EDF, which was devised in order to provide a more solid basis for the development of ACP States which meet the eligibility criteria,
- G. whereas, since the ACP countries' mining sector despite its potential in terms of natural resources, lags behind other regions of the world, the members of the ACP-EU Joint Assembly believe that the ACP governments and their European counterparts, the EU, European industry and the ACP countries themselves should take a long term view of their mutual interests as regards the human, institutional and material cooperation infrastructure which constitutes the potential framework for refreshing joint enterprises,
1. Notes that in order to achieve the desired balance, increased mining cooperation and a properly designed concerted approach are required to promote sustainable management of the natural resources of those ACP countries with major mining potential;
  2. Notes that interdependence, which underpins ACP-EU relations, calls for consistent action both to correct the disparity between the parties as regards institutional and technical conditions, and to boost the ACP mining sector with a view to attracting further investment and optimising the knock-on effects on local economies;
  3. Welcomes a considerable amount of work that has been done by various ACP countries to adapt their legislation and strengthen their institutional basis, which should be followed up with the support of funds under Lomé IV and the future ACP-EU agreement;
  4. Welcomes the on-going analysis and assessment taking place within the Joint ACP-European mining industry working party;
  5. Calls on the parties involved in ACP-EU mining cooperation to take measures to promote sustainable mining development in the ACP countries and to step up the transfer of skills, training, research, technology and knowhow which these countries urgently require in this sector if they are to develop their resources while preserving the quality of the environment;
  6. Calls on the Commission to pay particular heed to the need for a supple and efficient implementation of mining cooperation, and especially the Sysmin within the framework of the 8th EDF;
  7. Urges the ACP countries to make a major effort to adapt to the on-going economic development of the mining sector worldwide, and to ensure that their own mining sector is competitive by adopting measures to improve the climate for investment;
  8. Advocates effective institutional support for small and medium-sized mining operations, and for the involvement of local operators in the process of properly exploiting mining resources, including effective action in the area of environmental protection;
  9. Calls on the European Union to provide increased support for the ACP mining sector using all the means at its disposal, including the human resources required for managing cooperation in this sector; calls on the European Union to support all initiatives and strategies by encouraging all forms of initiatives and strategies (more particularly by improving the relevant infrastructure and by means of a closer synergy between the programming of infrastructure projects and the development of the mining sector) designed to improve the climate for investment and an increased capital flow into the ACP countries;
  10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

RESOLUTION<sup>(1)</sup>

## on biotechnology

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to the convention on Biological Diversity (CBD) and the ongoing negotiations on the Biosafety protocol by governments party to the CBD,
  - having regard to the EU Directive on the legal protection of biotechnological inventions (98/44/EC),
  - having regard to the GATT agreement on Trade-Related Aspects of Intellectual Property (TRIP),
- A. alarmed at the rapid increase in the unauthorised bio-prospecting and commercialisation of the biological resources, traditional knowledge, innovations and practices of local and indigenous communities,
- B. deeply concerned at the lack of binding protection of such knowledge, innovations, practices and biological resources against unauthorised commercialisation in the European Union directive on the legal protection of biotechnological inventions,
- C. bearing in mind the general principle of the Lomé Convention whereby ACP-EU cooperation shall support the efforts of the ACP States to achieve comprehensive self-reliant and selfsustained development based on their cultural and social values,
- D. considering it necessary to implement measures proposed in countries that are users of genetic resources, such as procedural and/or substantive changes in intellectual property law, which will require disclosure of the country of origin and/or proof of prior informed consent as referred to by the Executive Secretary of the Convention on Biological Diversity,
- E. considering that genes of living organisms are the basic 'raw materials' for biotechnology and that the majority of the world's genetic resources can be found in developing countries,
- F. whereas, in the field of biotechnology, developing countries are net exporters of resources and net importers of technology,
1. Confirms the importance of the principles incorporated in the CBD such as 'the precautionary principle', 'prior informed consent when accessing genetic resources', 'sovereign rights of states over their national genetic resources', 'access to and transfer of technology and information' and 'the equal distribution of benefits derived from biotechnology'; asks the European Union, its Member States and ACP countries to fully respect these principles in their legislation and to promote these principles in the proper international fora;
2. Notes that biotechnology can make a positive contribution in the field of sustainable agriculture and the progress of human health and medicine but is concerned at the negative impacts on the environment, biological diversity, traditional lifestyles, etc; therefore calls for ecological, ethical, social and economic considerations to be taken into account when dealing with biotechnology in all its aspects;
3. Proposes that the new Lomé Convention should include provisions relating to the principles of Article 8(j) of the CBD concerning the preservation of knowledge, innovation and the practices of indigenous and local communities and their intellectual and cultural property rights, including approval, involvement and the equitable sharing of benefits of any use of such resources;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

4. Notes that, in general, Third World countries lack an adequate legal framework for regulating biotechnology; therefore urges the ACP States to implement a legal framework to regulate biotechnology, intellectual property rights and other related issues; furthermore, urges the ACP States and the EU to make an inventory of natural resources and to set up databases and gene banks; asks the European Union to support the ACP States by providing technical and financial means;
5. Acknowledges that local and indigenous communities, as a result of their traditional lifestyles, make a special contribution to genetic diversity and have traditional knowledge concerning the use of many species; therefore calls for special attention be given to the 'traditional resource rights' of indigenous and local communities;
6. Calls on the EU and its Member States as a matter of urgency to conclude negotiations on a binding Biosafety Protocol (which safeguards human and animal health, the environment, biological diversity and the socio-economic welfare of societies from the potential risks of biotechnology);
7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission, and the secretariat of the CBD.

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#### RESOLUTION <sup>(1)</sup>

##### on post-conflict rehabilitation

*The ACP-EU Joint Assembly,*

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. noting with concern the grave post-conflict situation that predominates in many African countries and the vast amount of human and financial resources which are required for rehabilitation purposes,
- B. whereas neither development cooperation nor humanitarian aid can deploy effective instruments and methodologies for tackling the rehabilitation of a country in which the emergency is over but the institutional and socio-economic framework is still fragile,
- C. whereas rehabilitation is not an end in itself but is part of a continuum, which starts from emergency aid and ends in long-term development strategies, its primary objective being to enable the return and re-establishment of the populations in their communities of origin, the restarting of economic and trade activities as well as the stabilisation of political and social life,
- D. whereas local administration and management is essential to the success of any form of rehabilitation and whereas the rehabilitation programmes must focus on the needs of the local communities and must, where possible, make use of local resources to ensure the sustainable development of the countries concerned,
- E. stressing the importance of giving top priority to the speed and effectiveness of aid and of dealing primarily with the problems of food security and the re-establishment of basic social infrastructure,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).



- F. having regard to the need to restore as quickly as possible the basic conditions for the operation of vital infrastructures, services, production facilities and institutional and administrative structures,
- G. whereas the reconstruction stage in a country that has endured a period of conflict must necessarily take into consideration the reconstruction of civil society and the rule of law so as to inspire confidence in its citizens and enable circuits of economic activity, health and education facilities, etc., to be restored,
- H. whereas rehabilitation operations must also enable the return of refugees, displaced persons, demobilised service personnel and the reintegration of the whole population into normal civilian life,
- I. drawing attention to the crucial importance assumed by mine clearance among operations to restore basic infrastructural facilities and ensure their operation,
- J. whereas the success of rehabilitation programmes is largely dependant on the concentration of resources on the main needs of the populations and on the direct involvement of NGOs and local communities in the planning as well as in the implementation of these programmes,
- K. whereas the European Union must deploy every possible effort, both in the context of political cooperation and a single development policy, to prevent crises and settle conflicts by political means, in conjunction with local conflict settlement structures,
1. Believes that rehabilitation programmes and mechanisms constitute an essential extension of emergency aid measures and form an indispensable precondition for medium- and long-term development operations;
  2. Stresses the magnitude of the developing countries' needs for rehabilitation aid and calls for the establishment of a specific financial framework in the Community budget, endowed with considerable resources, to meet those needs;
  3. Believes that it is essential that the rehabilitation programmes, over and above their contribution to re-establishing a sustainable economy and social stability, should also make it possible for refugees, displaced persons, and demobilised soldiers to return home, and for the entire population to be reintegrated into normal civilian life in their countries and regions of origin;
  4. Considers that primary responsibility for drawing up and implementing the rehabilitation programmes rests with the communities concerned, in conjunction with their national and local authorities;
  5. Considers that the corner-stone of post-war rehabilitation must be the strengthening of civil society, in which the features of associations and cooperatives must be supported, by promoting the popular urban economy (informal sector) and micro-credit, at least during a transition phase, and involving the local authorities in building up the institutions;
  6. Attaches priority, in the rehabilitation following the fighting in which inter-ethnic tensions were present, to developing programmes which encourage dialogue between the different communities and to developing joint economic, social and cultural activities;
  7. Underlines the crucial importance of establishing democratic institutions, with elected representative bodies and the division of the judicial, legislative and executive powers;
  8. Regards the role which free, open and pluralistic mass media must play in the rehabilitation process to be indispensable;
  9. Considers that an integral component of post-war rehabilitation is the establishment of international judicial machinery to punish those responsible for war crimes and crimes against humanity, as a fundamental factor for stability in restoring the civil life of the country;

10. Calls therefore for the creation of International Criminal Court and requests the ACP and EU Member States to continue the efforts begun at the Rome Conference to promote the establishment of the Court in international fora;
11. Considers that increased resources must be allocated to mine-clearing operations, since these account for a significant proportion of rehabilitation efforts;
12. Calls on the Council and the Commission to take into consideration, in implementing rehabilitation operations, the part that can be played by women in the process of reconstructing their country;
13. Hopes that interventions in the area of rehabilitation will advance the restoration of markets and local trading networks by giving priority to local supply options;
14. Instructs its Co-Presidents to forward this resolution to the Commission, ACP-EU Council, the United Nations and the OAU.

# RESOLUTION <sup>(1)</sup>

## on the information society and the developing world

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
  - having regard to its previous resolutions on information and the arts,
  - having regard to Articles 132 and 133 of the Fourth Lomé Convention on cooperation in the field of communications and informatics, contained in Part Two, Title IX, Chapter 4,
  - having regard to the Commission communication entitled 'Europe's way to the information society. An action plan' <sup>(2)</sup> and the European Parliament resolution on the same subject <sup>(3)</sup>,
  - having regard to the Commission communication entitled 'The Information Society and Development: the Role of the Union' <sup>(4)</sup>,
- A. convinced of the need to integrate all countries into the information society and aware of the considerable challenges this process of integration constitutes, particularly in the case of the least advanced countries,
  - B. whereas the gaps in terms of infrastructure and technological development are growing increasingly wider between the industrialised countries and the developing countries,
  - C. having regard to the need for a coordinated strategy geared to the requirements of the developing world and enabling a larger number to take advantage of the economic, social and cultural potential of the information society,
  - D. concerned to prevent the gulf separating industrialised and developing countries from widening even further and the development of the information society from further marginalising the ACP countries instead of facilitating their integration into the world system,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

<sup>(2)</sup> COM(94) 347.

<sup>(3)</sup> OJ C 363, 19.12.1994.

<sup>(4)</sup> COM(97) 351.

- E. pointing out that the initial situation in many ACP countries, as regards existing communications infrastructures and the social and economic problems that communications and information technologies can help to solve, differs considerably from that existing in the industrialised countries, in particular the countries of the European Union,
  - F. whereas the concept of the information society is a still-evolving form of the earlier industrial society and therefore not fully applicable to most ACP States, which are consequently finding it more difficult to move forward and raise the educational and living standards of their people,
  - G. whereas the European Union's solidarity with its developing-country partners, in particular the ACP countries, requires it to assist them, on the basis of the agreements linking it to them, to gain recognition for the possibility of participating fully in a process that will enable them to advance by technological leaps and bounds and boost their social, cultural and economic development,
  - H. whereas information and communication technology could do much to foster direct democracy by affording wider opportunities for people to express themselves and could thus consolidate civil society and cultural identity; whereas, however, it also creates scope for abuses extending to the broad mass of the population, allowing public opinion to be manipulated and indoctrinated,
  - I. whereas the information society has the potential to transform working patterns, education systems, and society as such from top to bottom because it can remove space and time barriers and offer a whole range of new means to enable developing countries to take technological leaps forward, bypassing the intermediate stages that the industrialised nations have completed,
  - J. whereas, however, access to information and communication technologies is spread very unevenly, since 48 % of the inhabitants in the industrialised nations are connected, but the figure in the poorest developing countries is just 1,5 %, 53 % of the inhabitants in industrialised countries are connected to a telephone network, there is 1 Internet connection for every 5 people in the developed countries, and for every 40 people on average in the world as a whole, but the figure for Africa is as high as 1 051 and, in general, only the large towns and cities there are equipped with Internet connections,
- 1. Stresses the importance and urgency of working for the development of an information society as a universal provider in which developing countries would participate fully;
  - 2. Maintains that the many and varied opportunities for multi-media applications could greatly boost development in civil services, education and health systems, and transport and services, including where planning and monitoring are concerned, if the necessary resources can be obtained and a sufficient number of properly trained specialists recruited;
  - 3. Considers it essential therefore to set up a partnership between industrialised countries and developing countries — and in particular between the Union and the ACP countries — in order to identify the respective requirements of both, to mobilise the necessary technical and financial resources, to agree in a concerted manner on the legal framework within which the information and service networks should be implemented;
  - 4. Calls for the partnership between industrialised and ACP countries to give priority to a genuinely dynamic development of the Internet, which would then appear not only as a means of opening up ACP country networks to the rest of the world but also as a source of enrichment for exchanges both between North and South and between developing countries;
  - 5. Considers that in order to counteract the risk of marginalisation of the least advanced countries, an essential first step will be to rectify the inadequacy of telecommunications and human resource infrastructures and the low rate of literacy in those countries;
  - 6. Supports the Commission's view that a strategy must be devised to enable the information society to be covered when cooperation projects and programmes are assessed so that all cooperation tools can be made more coherent and efficient;

7. Considers that over and above the improvement of access to technologies, effort must be put into developing human resources in ACP countries by way of improved training, in particular in the areas of telecommunications and computerisation;
8. Expects that in the informal sector, new training and employment opportunities will likewise be exploited to help persons, in particular women, who have hitherto had little access to media and information output;
9. Considers that, beyond information and communication infrastructures there should above all be investment in the development of human resources by improving access to education and training;
10. Considers that the European Union should in particular assist the ACP countries to take stock of their communications and information needs and to develop on that basis a national policy consistent with their own development objectives, to be guided by the constant concern to promote access by the greatest number to information and equality of opportunities between their citizens;
11. Is aware that the ACP States will need to invest enormous sums in telecommunications infrastructure, including mobile radio-telephone services, which cannot be financed by the public sector alone, and should therefore seek to enter into an economic partnership with the appropriate businesses and educational establishments;
12. Maintains that the ACP States should consequently lay down a framework of laws and regulations that must accord with the commitments required by the WTO as regards the principles governing regulation of basic telecommunications services, provide incentives for public and private sector investment, and encompass a pluralistic information policy;
13. Calls on the EU Member States to take appropriate steps in the areas of human resources and technology transfer, and as regards involvement in Community research and development activities, with a view to opening up the information society to the developing countries;
14. Urges the introduction of twinning between European regions and ACP States in the area of new information technologies to enable a response to be made to the real needs of the communities concerned and facilitate the integration of multi-media into the local cultural context;
15. Calls on the ACP States, the Union Member States, and the Commission to support the expansion of university facilities to enable scientists to link up on the Internet and thus take part in world-wide discussions and learning processes;
16. Notes that, in addition, special assistance will be required to enable universities, their libraries, and their scientific and technological research centres to link up across the world and thus help reduce information deficits in developing countries;
17. Hopes that the choices made at international and national level in terms of the development of infrastructure, regulations, methods of access to networks and the fixing of tariffs are constantly guided by the desire to promote the access of the largest number of people to information and equality of opportunity between citizens;
18. Encourages, in the interests of technological development, the introduction of digital radio receivers in ACP countries, which would enable existing projects for digital transmission by radio and satellite to be put on a concrete footing;
19. Hopes also that European participation in the emergence of digital technologies in the ACP countries will be directed as a matter of priority towards networks serving the general interest in the areas of education, occupational training, public health and scientific research;
20. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

RESOLUTION<sup>(1)</sup>

## on damage caused by Hurricane Georges in the Caribbean Region

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from the 21 to 24 September 1998,
  - considering the provision of the fourth Lomé Convention regarding emergency assistance, in particular from Art. 254 onwards,
  - A. being extremely concerned about the destruction done in the Caribbean region by Hurricane Georges, particularly in the islands of Antigua and Barbuda, Cuba, Dominica, the Dominican Republic, Guadeloupe, Haiti, Montserrat, St Kitts and Nevis, St Martin, Saba and St Eustatius; aware of the fact that the Bahamas are now threatened by Hurricane Georges,
  - B. considering the loss of lives, infrastructural damage to roads and port facilities, severe destruction to water and electricity supplies, the destruction of property, homes, schools, hospitals and crops,
  - C. noting that a state of emergency has been declared in some islands and that millions of dollars will be required for rehabilitation and to restore the economies of the affected countries,
1. Calls on the Commission of the European Union:
    - i) to assess the damage caused by the hurricane, evaluate the needs, provide adequate resources to assist with the rehabilitation of the states and overseas territories concerned, and motivate the international community to assist the rebuilding process and to support programmes of local disaster prevention;
    - ii) to assist with the transfer of technology that will in the future contribute to a reduction in the effects of another similar catastrophe;
  2. Instructs its Co-Presidents to forward this declaration to the ACP-EU Council and the Commission.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).



**RESOLUTION<sup>(1)</sup>****on regional cooperation in the ACP countries**

*The ACP-EU Joint Assembly,*

— meeting in Strasbourg (France) from 29 March to 1 April 1999,

— having regard to the report of the Working Group on regional cooperation in the ACP countries,

- A. whereas the regional dimension underpins ACP-EU relations and is, without a doubt, the defining feature of the Lomé Conventions,
- B. whereas regional cooperation and integration have been considered a priority since the early days of ACP-EU cooperation,
- C. whereas in recent times a growing number of regional agreements taking very different forms and signed for a wide variety of reasons have been concluded around the world; whereas this general trend towards regional integration cannot be explained in economic and commercial terms alone,
- D. having considered the state and future prospects of regional cooperation and integration in the ACP countries,
  1. Affirms the relevance of regional cooperation and integration for the ACP countries, given that they are a means of tackling the challenges thrown up by globalisation (particularly for the least developed countries) and are one of the keys to growth, the eradication of poverty, and sustainable development, and a means of putting an end to the marginalisation of the ACP countries;
  2. Points out that the underlying reasons for and the objectives and means of achieving regional cooperation and integration differ greatly from region to region and sub-region to sub-region within the ACP group and that each has its own reasons for pursuing this goal;
  3. Maintains, in the light of the results achieved by the various regions, that the political and security dimension is vital to the success of regional integration processes and that peace is a precondition for regional development;
  4. Notes that there is no standard model for regional cooperation and integration and that due account must be taken of local needs and possibilities;
  5. Acknowledges that the ACP group must continue in its present form, but that account must nevertheless be taken of the needs and specific nature of its various regions and sub-regions;
  6. Is fully aware of the difficulties encountered and the fact that the results achieved have fallen short of the goals set, but welcomes the progress made over the recent period;
  7. Maintains that the European Union's role has to be confined to providing support for implementing measures being taken in the various regions and that regional cooperation and integration depend first and foremost on the will of the peoples involved;
  8. Considers that regional integration does not in any way conflict with the liberalisation process taking place around the world and that, on the contrary, it provides countries with a means of preparing for and facilitating such integration;
  9. Stresses that economic integration will only last if the basic economic and political conditions are favourable and if there is a long-term commitment to the integration process; considers that common interests and political will are two key elements which are essential for success; and adds that other factors are also decisive, including a climate of peace and stability, the rule of law, good governance and macroeconomic stability;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).



10. Believes that ACP-EU regional cooperation can only be effective if it reflects the existence of those factors;

11. Considers that economic integration should become the starting-point for and the main focus of regional cooperation;

12. Recalls that, while regional cooperation and integration are a priority for the ACP countries, they can only be achieved in a context conducive to peace, democracy and respect for human rights, and not on an ethnic basis which stirs up hatred and gives rise to armed conflicts;

#### **As regards Africa**

13. Points out that the origins of regional integration can be traced back to the pre-colonial period;

14. Notes that a development model geared mainly to national concerns in the framework of former colonial boundaries has, since the 60s, influenced Africa's desire to affirm its identity and pursue development;

15. Emphasises the importance of the strategic decision taken by Africa to establish the African Economic Customs Community under the Abuja Treaty;

16. Considers that, as part of its relations with Africa, the European Union has a duty to contribute to the fulfilment of the objectives set out in the Abuja Treaty;

17. Reaffirms the relevance of regional cooperation and integration in Africa, inter alia for the following reasons:

- the fact that Africa is divided into 54 countries has made it impossible for the economic conditions required for a viable national market and industrial base to develop in most of those countries;
- the fact that many of the present-day states have artificial borders as a result of the boundaries drawn up by the colonial powers serves as a barrier to the free movement of goods, services, capital and persons;
- the potential benefits to be gained from regional integration can be gauged from the scale of the informal economy and of informal trade flows;
- the high proportional cost of transactions owing to the fact that, in general, population density remains low despite overall population growth;
- economic and trade structures favour traditional markets to the detriment of intra-regional relations;

18. Maintains therefore that, given the conditions obtaining in Africa, the pursuit of regional integration is an essential step towards the continent's harmonious integration into the world economy;

19. Considers that the difficulties hitherto encountered actually enhance the relevance of regional cooperation and integration;

20. Welcomes the fact that such obstacles have now been clearly identified; whereas they include:

- major differences in the size, level of development, peripheral or island location and political weight of the different countries, which make cohesion particularly difficult;
- the institutional weakness of the various states;
- the dependence of public finances on customs revenues;
- the compartmentalisation of African markets, which is aggravated by the non-convertibility of some of the currencies;

- the impact of conflicts, which prevent any progress being made towards regional integration, together with the unsatisfactory situation as regards the rule of law, democracy, good governance and macro-economic stability, all of which are preconditions for both national development and regional integration;
- 21. Welcomes the fact that the improved economic situation is conducive to economic integration, which is particularly difficult to achieve during a recession, and that the adoption of more balanced macro-economic policies has improved the prospects for the convergence of such policies at regional level;
- 22. Warmly welcomes the fact that, following a long period during which the above difficulties proved insurmountable, considerable, though inconsistent, progress has clearly been made towards regional cooperation and integration over the recent period; notes that, in some cases, the advances made in just a few short years equal or even exceed those made over the two preceding decades;
- 23. Notes that the progress made towards regional cooperation and integration in Africa is in line with the progress made in the economic and political spheres, which confirms — should such confirmation be necessary — the validity of the goal of establishing an African economic community;
- 24. Draws attention to the fact that peace and security are among the main objectives of regional organisations;
- 25. Points out that progress has been made as regards the implementation at national level of decisions taken at regional level;
- 26. Points out that greater account is being taken of the need to ensure that economic operators and civil society are more fully involved in the integration process;
- 27. Notes the diversity of the various regional integration processes;
- 28. Emphasises that there has been a growing political will over the recent period to make progress on regional integration, with a view to ensuring that Africa becomes a visible and audible player on the world stage and is able gradually to affirm its identity and achieve sustainable development;
- 29. Agrees with African leaders that the development of Africa will be regional or not at all;

#### **As regards West Africa**

- 30. Notes that West Africa is a relatively homogenous sub-region which has a long experience of regional integration, dating back to the period between the 10th and 15th Centuries;
- 31. Notes that ECOWAS, which is the general regional organisation for this 17-country sub-region, has achieved positive results as regards the free movement of persons but very little in terms of economic cooperation and the liberalisation of trade;
- 32. Draws attention to the major advances made by the WAEMU, which is making swift progress towards the completion of a customs union and the coordination of macro-economic policies; welcomes the establishment, in March 1998, of the WAEMU interparliamentary committee and calls for a WAEMU parliament to be created in the very near future;
- 33. Points to the extremely positive results achieved by the CILSS, which, operating on a basis of regional solidarity, has wholeheartedly committed itself to combating drought and desertification;
- 34. Notes in particular the following conclusions drawn by the CILSS:
  - in order to be a success, regional cooperation requires the active involvement of local people in the setting of goals and the implementation of measures;
  - capacity building and the development of human resources are of essential importance;
  - progress made in the fields of food safety and combating desertification is only sustainable in a sub-regional context;

35. Notes that the main difficulties have arisen in connection with regional integration in West Africa, particularly:

- the crisis in the 1980s obliged governments to make domestic policy a priority;
- the lack of grassroots support (the integration process was formulated without the involvement of the general public, which has detracted from its sustainability and undermined programme implementation);
- the large number (40 or so) of regional organisations in West Africa;

36. Welcomes the fact that there are several good reasons to believe that now is a particularly favourable moment for regional integration in West Africa and that the time has therefore come to infuse new life into the process;

37. Notes in particular that, thanks to the efforts of the European Union, the regional dimension is now taken into account by donors — in particular the Bretton Woods institutions;

38. Notes that ECOWAS and the WAEMU share the same goals, which makes it possible for them to work together, and welcomes the fact that the people in charge of those two organisations have decided to do so;

39. Points out that the ECOWAS member states have signed a non-aggression treaty and set up a mediation committee and a group of observers, and that ECOWAS's intervention in Liberia — the first of its kind — yielded positive results;

#### **As regards Central Africa**

40. Notes that Central Africa is the African region in which regional integration has proved most difficult, essentially for political reasons;

41. Notes that the Economic Community of Central African States (ECCAS) is probably the most significant example of the failure of a regional organisation set up pursuant to the Lagos action plan and the Abuja Treaty being caused by the absence of the requisite political conditions:

- the region was in the grip of conflicts and humanitarian disasters;
- the long-term approach needed for regional integration was at odds with a situation in which national policies were totally absent or inadequate;
- owing essentially to the irregular payment of contributions, the organisation lacked the resources it required in order to function;

42. Notes that the failure of the GLEC was due to humanitarian disasters and to overlapping with other regional organisations;

43. Notes that the region has substantial resources and a lot of potential and that, if it is to be able to develop and integrate, conflicts will need to be settled and greater political and economic stability achieved;

44. Notes the setting up at subregional level of the Economic and Monetary Community of Central Africa (EMCCA) to take the place of the Customs and Economic Union of Central Africa (CEUCA) with a view to harmonising policies and establishing a legal and economic framework favourable to the relaunch of investment and the establishment of a common market;

#### **As regards East Africa and the Horn of Africa**

45. Notes that, as a region, East Africa does not have a very clear economic and geographical identity, which explains why a variety of regional organisations have grown up there;

46. Draws attention to the major advances made by the PTA (which has since become the COMESA) as regards the liberalisation of intra-regional trade; points out, however, that the organisation's success has been undermined by political and security problems in several of its member countries;

47. Points out that the East African Cooperation, which was revived in 1996, is a collection of countries which share the same language, culture and infrastructures — a factor which is conducive to partnership and regional integration;

48. Emphasises that, if progress towards regional integration is to be sustainable, a clearer geographical demarcation between the various regional communities will be required in the medium to long term;

49. Stresses that IGAD, the initial aim of which was to combat drought and desertification, has become a regional economic Community whose priorities are food security, environmental protection, economic cooperation and conflict prevention;

#### **As regards Southern Africa and the Indian Ocean**

50. Notes that the main goal of regional integration in this region is not to achieve a state of interdependence, since this has existed for many years and is reflected inter alia by the scale of capital flows, considerable intra-regional migration and the construction of regional infrastructures necessary for easy access to landlocked countries and coastal states;

51. Notes that the region's industrial vigour and the formation of a regional market were made possible by protectionist measures which paved the way to genuine industrialisation, and that the abolition of such measures would, at least in the short term, have an appreciable impact on employment;

52. Notes the imbalances between the countries of the region and the unequal relations resulting therefrom and draws attention to the difficulties experienced in settling the issue of the costs and benefits of integration as a result of this situation;

53. Notes that the prospect of the development of major projects for the exploitation and transport of natural resources is a powerful spur to integration;

54. Notes that the SACU, Africa's oldest regional organisation, has removed tariff and non-tariff barriers, established a common external tariff, secured the convertibility of currencies linked to the South African Rand and is experiencing problems with compensation arrangements and that it is consequently necessary to create within the area a more united and competitive economy able to achieve a high and sustainable rate of growth by giving precedence to long-term regional economic interests;

55. Recognises the success of the SADCC in the area of functional cooperation, especially improvement of the transport corridors, based on cooperation between South Africa's neighbouring countries during the apartheid era; notes the satisfactory results achieved by the SADCC with sectoral policies (transport, communications and energy) and that it had less success in the trade and investment spheres owing to the difficulties involved in striking a harmonious regional balance between the interests of its member countries;

56. Points out that the SADC, which replaced the SADCC, has the goal of establishing a development community which is intended to be more than a mere economic community and which thus, while comprising elements such as a common market and the harmonisation of economic and monetary policies, also makes reference to shared economic, political and social values, including the need for sound government, public participation and measures to combat poverty;

57. Points out furthermore that strengthening regional solidarity, peace and security is also an important element of the agreement and that the SADC Parliamentary Forum, made up of delegates from the member countries, will consider matters relating to human rights and democratic principles;

58. Points out that several countries of the region are members of both the SADC and the COMESA, that the composition of these two organisations is rapidly changing and that a certain degree of rivalry exists between them; considers that this situation results in a loss of resources and that it should be clarified in the interests of all the countries concerned;

59. Points out that the ACP States which belong to the Indian Ocean Commission are all members of the COMESA (some of them also being members of the SADC), that others are members of the Indian Ocean Association for Regional Cooperation, that the IOC's objectives are political cooperation, social and economic cooperation and operational cooperation and that economic cooperation between those states has not been particularly successful, whereas operational cooperation on issues of importance to the small developing island states (namely the environment and tourism) has proved highly satisfactory;

60. Emphasises the efforts made by the Indian Ocean Commission to develop regional cooperation between the island countries of the region; notes that the development of the institutional structure should enable objectives to be better attained and the obstacles encountered hitherto to be overcome;

#### **As regards the Cross-Border Initiative (CBI)**

61. Draws attention to the value and originality of the Cross-Border Initiative involving some East African, Southern African and Indian Ocean countries, which differs from the approach to regional integration hitherto prevalent in Africa in several respects, including:

- an outward-looking approach and a less protectionist attitude;
- direct involvement of the private sector by means of technical working parties set up at national level;
- complementarity between regional and national policies;
- a flexible, variable-speed approach;

62. Considers that the regional economic communities can benefit from the CBI's success, particularly as regards support from donors, the role of the private sector, covering the transitional costs of integration, technical assistance and capacity building;

#### **As regards the Caribbean region**

63. Emphasises the fragility and vulnerability of Caribbean economies and their dependence on the export of commodities, in particular bananas, sugar and rum;

64. Welcomes the progress made in the region as regards cooperation and regional integration;

65. Notes with the greatest interest the proposal by the Dominican Republic for a strategic alliance between the Caribbean and Central America which could influence overall development strategy by helping to enhance competitiveness and economic growth, strengthen the productive and technological capacity of the region, attract foreign investment and help in coordinating trade policies in the various international arrangements in which they participate;

66. Draws attention, further, to the decision taken by the leaders of the Caricom countries meeting in St Lucia from 30 June to 4 July 1998 reaffirming their commitment to the creation of a single market by the end of 1999;

67. Takes the view, therefore, that the European Union must increase its support for cooperation and regional integration in the Caribbean;

68. Is in favour of the establishment of a special scheme designed to help the vulnerable and fragile island states and in this regard draws attention to the need to recognise the value of the emerging vulnerability index in assessing the development status and needs of vulnerable small island states;

**As regards the Pacific region**

69. Notes that the ACP countries of the region, although spread over an enormous area, constitute a unity, the coherence of which is based on traditional values,

- the commitment to peace, democracy and the rule of law,
- the will to secure their development together after the diversity of the colonial period;

70. Welcomes the fact that the eight ACP States of the South Pacific wish to maintain and strengthen their links with both the ACP Group and the EU;

71. Notes that the ACP countries of the Pacific have affirmed their intention to work together within the framework of the ACP group and ACP-EU cooperation with a view, in particular, to overcoming the obstacles associated with their small, isolated economies and, in this context, to promote long-term economic and social development;

72. Believes that, by acting on a regional basis, the countries of the Pacific can benefit from economies of scale, negotiate international agreements more effectively, encourage market access and find support for their national policies;

73. Calls, accordingly, for the fragility, smallness, isolation and, therefore, vulnerability of the Pacific ACP countries to be given particular consideration;

74. Stresses the importance of the South Pacific Forum, not only in terms of economic cooperation, but also as a means of ensuring peace and security in the region and emphasises the significance of the Melanesian Spearhead Group (MSG);

**As regards regional cooperation within the ACP-EU framework**

75. Finds that, despite the substantial sums which have been devoted to it, regional cooperation within the ACP-EU framework cannot be deemed a success hitherto; notes, for instance, that the Court of Auditors, which had assessed the general impact of the regional cooperation programme, came to the conclusion that it had hardly contributed to fulfilling the essential objectives of regional cooperation;

76. Welcomes the fact that the lessons of the past have now been learned and that the obstacles encountered have now been properly identified, which creates the right conditions for them to be overcome;

77. Stresses the importance of forms of cooperation other than regional integration which may contribute to greater understanding and regional solidarity;

78. Affirms that it is now both possible and necessary to provide a fresh impetus and fresh goals for support for regional cooperation and integration within the ACP-EU framework; considers, in particular, that positive experiences should be drawn upon;

79. Stresses that economic cooperation must never be divorced from its human aspects, which means that an economy must serve its people, and, in particular, that economic and financial operations should not divorce economic factors from the effects which they actually have on the people concerned in terms of food, education, housing, healthcare, culture and progress towards peace;

80. Is itself in favour, under this report, of adopting specific measures which take into consideration the needs, the specific characteristics, the weaknesses and the varying development levels of the regions, subregions and developing island states in the context of the overall ACP-EU agreement;

81. Believes that each region has its own specific constraints, dynamics and potential, and that cooperation within the ACP-EU framework must strengthen and consolidate those existing regional initiatives which are realistic and sustainable, and adds that in any event the initiatives must come from the regions themselves;

82. Believes, however, that a number of common problems need to be tackled, which calls for a pragmatic, flexible tool to provide support for economic integration policies;

83. Believes that, from now on, the starting-point for all regional projects must be to ask whether a given project is an appropriate regional approach (and, if so, why), and that, in this context, the specific problems and the obstacles inherent to small developing island states must be taken into consideration;
84. Expresses itself in favour of an incentive mechanism making it possible to provide special support for regions and other sub-regions which in practice show a genuine desire for economic integration; considers that such a mechanism might take the form of budgetary aid for the balance of payments, or specific compensation arrangements;
85. Believes that it is essential for the preconditions for regional integration to be clearly identified at the outset;
86. Believes that a tighter focus might usefully be combined with the principle of 'variable geometry' in such a way that no country feels excluded and others are not held back;
87. Considers that regional integration programmes should become the corner-stone around which the priority sectors for cooperation should be articulated;
88. Believes that the identification of effective, duly mandated regional partners within the ACP states is vitally important for the effective implementation of the regional programmes and should thus be a priority for ACP-EU cooperation;
89. Considers that particular attention should be paid to the multiplicity and overlapping of institutions;
90. Believes that political commitment to implementing regional policies at national level is crucial;
91. Expresses itself in favour of European Union support being provided for regional organisations according to their commitment;
92. Considers that the scrutiny and monitoring of programmes and projects should be substantially improved;
93. Is in favour of EU technical support for regional security agreements and recommends that regionalised mediation structures should be set up so that ethnic, linguistic, social, economic or religious tensions can be monitored;
94. Believes that regional integration processes have hitherto been markedly bureaucratic, and that it is now necessary to ensure effective participation, in various forms, by all players (organisations in civil society, decentralised public authorities, NGOs, private sector, etc.);
95. Believes that the renegotiation of a new agreement between the European Union and the ACP countries, subsequent to Lomé IV, comes at a time when the conditions for a major renewal of support for regional cooperation and integration are in place;
96. Believes, therefore, that the whole of the new agreement, as well as its individual components, including the trade provisions, should encourage such support and in no circumstances run counter to it;
97. Expresses itself in favour, in this connection, of an overall ACP-EU framework agreement defining, inter alia, the objectives, principles and practical arrangements governing, where appropriate, specific agreements with the regions and subregions to supplement the new ACP-EU Convention;
98. Believes that monetary cooperation amongst the ACP countries would enable trade and regional cooperation to be considerably facilitated; considers, in this context, that the EU must support such cooperation and that the introduction of the euro, which will signify the establishment of a major area of monetary stability, offers an opportunity to conclude agreements initially intended to contribute to the stability of the ACP countries' currencies;



99. Considers that cooperation in the field of statistics should be one of the aspects of ACP-EU cooperation in order to:

- facilitate the implementation of national and development cooperation policies,
- encourage investment and economic development,
- help to prevent economic crises;

100. Expresses itself in favour, under the conditions set out above, of such agreements taking into account all the dimensions involved, i.e. the economic dimension, including trade, but also the political and security dimensions;

101. Calls on the Commission, at the appropriate moment, to establish progress indicators for the various regions and for cross-border initiatives, taking into account not just economic development but also cultural and social dimensions and the need to improve the quality of life, and calls on the Commission to submit regular reports on the trends observed in the progress indicators by commenting on those trends;

102. Considers, in this context, that the ACP-ECU institutions should be supplemented at regional and sub-regional levels and proposes therefore that meetings of the Council of Ministers and the Joint Assembly be held at those levels; considers in particular that such meetings would enable the various participants in cooperation (the private sector, civil society, NGOs, etc.) to be more fully involved;

103. Stresses the possibilities created by the presence in the Caribbean, the Indian Ocean, the Atlantic and the Pacific of the Community's ultra-peripheral regions (UPRs), and the overseas countries and territories (OCTs) associated with the EU and the ACP States;

104. Affirms the relevance of strong partnerships and dynamic cooperation between the ultra-peripheral regions, the OCTs and the ACP States to the harmonious development of all the partners and their gradual integration in world trade, taking account of the specific nature and legitimate interests of each of them;

105. Hopes therefore that the combined effects of the coming reforms of the Union's relations with the ACP, the OCTs and the UPRs will serve as an opportunity for the Commission and Council to adopt a coordinated, coherent approach enabling these three entities to establish decentralised partnerships in the framework of future regionalised ACP-EU agreements;

106. Urges the Commission and Council to involve closely the overseas regions, countries and territories in defining the political, economic and commercial regional and subregional partnerships that the Union hopes to establish with its partners in Africa, the Caribbean and the Pacific by the year 2005;

107. Calls, inter alia, in the framework of the regionalised political partnerships, for the structures of political dialogue, particularly the Joint Assembly, to be fundamentally reorganised so as to associate in an appropriate manner the representatives of the surrounding UPRs and OCTs;

108. Calls for each of the future ACP-EU regional agreements to take full account of the presence of UPRs and OCTs in or near the geographical regions to which they apply;

109. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on climate change and small island developing states in the context of the ACP-EU cooperation framework**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to the report of the Working Group on Climate Change and ACP Small Island States (ACP-EU 2478/A/99/fin. and ACP-EU 2478/B/99/fin.),
  - having regard to its previous resolutions on climate change, small island states and environment,
  - having regard to the relevant provisions of the UN Framework Convention on Climate Change (UNFCCC), which gives specific recognition to the particular vulnerability and special circumstances of developing countries, particularly small island states and other countries with low-lying coastal areas or areas liable to drought and desertification,
  - having regard in particular to articles 4.1 (e), 4.3, 4.4, 4.5, 4.7 and 4.8 of the UNFCCC that outline the commitments of developed countries (among them the European Union and the EU Member States) to support developing countries with financial resources and transfer of technology,
  - having regard to the Kyoto Protocol to the UNFCCC, in particular article 12 (clean development mechanism),
  - having regard to the Buenos Aires Plan of Action, contained in the decisions of the fourth session of the Conference of the Parties to the UNFCCC, which calls on industrialised country Parties to provide funding, through the Global Environment Facility (GEF), to alleviate the negative impact of climate change and to minimise its adverse effects,
  - having regard to the Programme of Action for small island states adopted at the UN Global Conference on the Sustainable Development of small island developing states (Barbados 1994) and in particular Chapter I thereof,
  - having regard to the report of the Commission on Sustainable Development (CSD) on progress in the implementation of the Programme of Action for small island states which states that little progress has been made on the climate change and energy resources chapters,
  - having regard to the report of the prospective donors-SIDS conference that took place at the United Nations on 24-26 February 1999 in the context of the implementation of the Barbados Programme of Action,
  - having regard to the conclusions of the EU Environment Council of 6 October 1998 in which the Commission is asked to indicate how EC Overseas Development Aid funds might better serve the objective of the UNFCCC, noting that these funds should not be used to finance the acquisition of certified emission reduction units,
  - having regard to the International Convention to Combat Desertification,
  - having regard to article 41 of the Lomé IV Convention whereby the Parties recognise the value of exchanging views on major ecological hazards, such as the greenhouse effect, aimed at assessing the scope for joint action within the terms of the Convention,
- A. noting that at the prospective donors-SIDS conference that took place in February 1999, it was underlined that development assistance to SIDS substantially declined and that resource mobilisation was one of the main challenges; donor countries, among them the EU Member States and the European Commission, confirmed the critical need for improved and effective coordination in the cooperation with SIDS; better coordination would reduce costs and improve effectiveness and efficiency,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

- B. whereas climate change is an unprecedented threat to human wellbeing and survival caused by increasing and inequitable unsustainable consumption patterns globally,
- C. committed to the objective of a reduction in greenhouse gases emissions by the Annex 1 countries of 20 % by the year 2005 based on the 1990 emission-levels, which was proposed by the Alliance of Small Island States (AOSIS) at the first Conference of the Parties to the UNFCCC,
- D. whereas the Kyoto Protocol is considered as a step in the right direction but still inadequate,
- E. deeply concerned that the EU has conditioned its ratification of the Kyoto Protocol on the actions of other countries, and further concerned that many EU Member States are experiencing rapid growth in greenhouse gas emissions,
- F. whereas the African continent is particularly vulnerable to the impacts of climate change because of factors such as widespread poverty, recurrent droughts, inequitable land distribution and overdependence on rain-fed agriculture; and whereas increased droughts could seriously impact on the availability of food,
- G. whereas certain African states in the southern Sahara are particularly sensitive and vulnerable to climate change on account of their landlocked nature and their proximity to the Sahara desert, and whereas they are amongst the poorest countries on earth,
- H. whereas coastal zones are characterised by a rich diversity of ecosystems and a great number of socio-economic activities, and whereas it is currently estimated that about half of the global population lives in coastal zones,
- I. recalling that about a third of all signatories to the Lomé Convention are small island states and that these countries are particularly vulnerable to the adverse consequences of climate change such as sea-level rise, coral bleaching, and the increased frequency and intensity of tropical storms,
- J. whereas small island developing states and African states in the southern Sahara are among those that contribute least to global climate change and sea level rise, they are among those that would suffer most from the adverse effects of such phenomena and could in some cases become uninhabitable,
- K. considering the preliminary outcome of the studies on the vulnerability index by the Joint Commonwealth/World Bank Task-Force on Small States that emphasises that small island developing states are, among the developing states, most vulnerable to external economic and environmental shocks and that their resilience to these shocks is most limited,
- L. having regard to the negotiations currently taking place for a future ACP-EU agreement and the necessity of integrating the principles of sustainable development into all areas of cooperation,
- M. whereas the European Union and the Commission to date have not developed a coherent policy and programme to implement the commitments made under articles 4.1 (e), 4.3, 4.4, 4.5, 4.7 and 4.8 of the UNFCCC, in particular with regard to transfer of technology and capacity-building in developing countries,

**With regard to the implementation of the Barbados Programme of Action for the sustainable development of Small Island Developing States**

1. Calls on all parties to reaffirm the importance of the priorities set out in the 'Barbados Programme of Action for the sustainable development of Small Island States' and to fully and effectively integrate this programme and a specific programme for the African states in the southern Sahara into the planning and implementation of the Lomé Convention and its successor agreement in ACP Small Island Developing States (SIDS), and African states in the southern Sahara;
2. Affirms that regional mechanisms for interaction and cooperation among SIDS are an essential basis for action under the 'Barbados Programme of Action';

3. Notes a lack of coordination among EU member states concerning their commitments made under the 'Barbados Programme of Action' and insists that country level coordination among donors and partners within the overall framework of a national strategy is critical to maximise the impact, efficiency and cost-effectiveness of actions to promote sustainable development;
4. Considers that efforts being made at the national and regional levels to implement the 'Barbados Programme of Action' need to be supplemented by effective financial support from the international community;
5. Calls on the EU to play an active role in the two day United Nations Special Session to be held in New York in September 1999 to undertake a full and comprehensive review and appraisal of the Programme of Action for the Sustainable Development of Small Island States, so as to achieve its full objectives;
6. Calls on the European Commission to take the initiative on the critical issue of donor coordination between EU Member States, the Commission and SIDS in the framework of the implementation of the Barbados Programme of Action; also calls on the Commission to draw up, with the EU Member States, a Plan of Action on improved donor coordination, to be presented at the United Nations General Assembly Special Session (UNGASS) in September 1999;

#### **With regard to climate change in the ACP-EU framework**

7. Considers that prevention of and adaptation to climate change is an area in which ACP-EU cooperation should be enhanced in the new agreement successor to Lomé IV;
8. Agrees that actions supported under National and Regional Indicative Programmes (NIP/RIP) need to be implemented with an integrated approach to sustainable development; that in particular adaptation strategies relating to climate change and sea level rise should be incorporated in long-term development planning processes; and that bilateral donors and United Nations agencies and organisations, as well as the World Bank, should join in the promotion of coordinated capacity-building programmes to support the development and implementation of national, subregional and regional strategies;
9. Recommends that policy development and programmes on climate change in the context of ACP-EU cooperation be focused on three areas: renewable energy-resources, adaptation and disaster-preparedness;
10. Notes the establishment of the Clean Development Mechanism (CDM) under the Kyoto Protocol and stresses that efforts should be made to bring coherence between projects developed under CDM and programmes related to renewable energy, adaptation to climate change and disaster preparedness under the Lomé Convention;
11. Notes that, up to now, no commonly agreed methodology has been devised to assess the results of projects under the CDM; consequently believes that a strict, transparent monitoring and verification system, and clear participation requirements, are essential if the CDM is to be successful;
12. Notes the potential for the CDM to generate substantial resources for the funding of mitigation and adaptation projects in ACP countries; recommends, in order to ensure that the CDM is competitive with the Protocol's other implementation mechanisms and that mitigation projects are carried out in regions long neglected by the market, that:
  - an adaptation levy be applied to transactions under Article 6 (Joint Implementation) and Article 17 (Emissions Trading); and that
  - project eligibility criteria developed under the CDM can promote projects in ACP and least developed countries;
13. Notes that the Buenos Aires Plan of Action calls on developed country Parties to the Convention to provide funding, through the GEF, to implement adaptation response measures in particularly vulnerable countries and regions, and especially in countries vulnerable to climate-related natural disasters; calls on the EU and ACP representatives in the GEF Council to ensure that this decision is fully implemented through the GEF project cycle;

14. Recommends that policies and programmes be developed and implemented to support the ACP countries in capacity-building, dissemination of information, training, and the development of targeted policies, so as to make the CDM more understandable and acceptable, thus facilitating the presentation of projects by ACP countries to the CDM;

15. Stresses that, although many priority areas in the 'Barbados Programme of Action' are already present in the current Lomé Convention, some areas which are of great importance to small island states, coastal regions and landlocked countries which are vulnerable to climate change are lacking in the Convention, such as integrated coastal management and integrated approach on land use;

16. Considers Integrated Coastal Zone Management (ICZM) an evolutionary process that identifies and implements options to attain sustainable development and adaptation to climate change in coastal zones and small islands, and is of the opinion that the Lomé Convention should establish a framework for promoting ICZM in ACP island states and coastal areas;

17. Points out the need to strengthen systematic observational networks to identify the possible onset and distribution of climate change and assess potential impacts, particularly at regional level; consideration should be given to assisting ACP vulnerable states in their effort to develop monitoring and related climate and weather forecasting capacities;

18. Believes that disaster prevention and preparedness should form an integral part of development cooperation and considers it essential that this aspect is taken into account in the negotiations for a new ACP-EU Convention, as well as integrating it into national indicative programmes and individual projects;

19. Affirms in this context that there is a particular need for capacity-building for disaster planning and management and for the promotion and facilitation of the transfer of early-warning technologies to countries prone to disasters;

#### **With regard to trade and economic cooperation**

20. Emphasises the importance of recognising the special needs of small ACP island states which are physically and economically vulnerable to the effects of climate change, particular to natural disasters such as hurricanes and droughts, all of which affect their economic activities in such fields as agriculture, fisheries and tourism, upon which they are dependent as a result of their narrow resource base;

21. Calls on the European Union to give greater weight to the vulnerability factor in all development assistance vis-à-vis these countries exposed to such risks, taking into account the work in train by the Joint Commonwealth/World Bank Task-Force on Small States;

22. Calls also on the European Union to provide differential treatment in terms of preferential market access for the benefit of the vulnerable small and island states;

#### **With regard to international arrangements**

23. Believes that, given the increasing number of decision-making bodies concerned with various aspects of sustainable development, including international conventions, there is an ever greater need for better policy coordination at the intergovernmental level, as well as for continued and more concerted efforts to enhance collaboration among the secretariats of those decision-making bodies;

24. Urges governments to conclude and to implement the United Nations Convention to Combat Desertification in those countries experiencing serious drought and/or desertification, particularly in Africa;

25. Calls on the Commission to examine the modalities in which the Lomé Convention could be used to implement parts of the UNFCCC; in this context, recommends the establishment of a Task Force with representatives of the relevant Directorates-General. The task-force should:

- map out the structures, instruments and programmes within EU-ACP cooperation that could be applied to support the implementation of the commitments of the European Union, the EU Member States and the ACP countries under the UNFCCC, particularly with respect to transfer of technology and capacity-building. As focal areas of this study are proposed: renewable energy resources, adaptation to the effects of climate change and disaster-preparedness;
- prepare a Plan of Action, based on the analyses of the above-mentioned study, that will lead to: a) more knowledge about the UNFCCC, Kyoto Protocol and related instruments among the actors involved in the programming and implementation of the instruments of the Lomé Convention and vice-versa, b) more coherence in the implementation of the UNFCCC, Kyoto Protocol and Lomé Convention, in particular in the areas of renewable energy resources, adaptation to the effects of climate change and disaster-preparedness.

The task-force should report regularly to the ACP-EU Joint Assembly. An initial report should be presented 6 months after the adoption of this resolution and followed by annual reports on its progress and activities;

26. Calls on the ACP and EU to convoke, using existing mechanisms under the Lomé Convention (art. 41), a joint ministerial conference on the subject of climate change;

27. Calls on the EU and the United States for early unconditional ratification of the Kyoto protocol, and to commence immediate action to prepare for its prompt implementation through the adoption of strong policies and measures;

#### **With regard to information sharing and access to technology**

28. Firmly believes that the availability of scientific and technological information and access to, and transfer of, environmentally sound technologies are essential requirements for sustainable development;

29. Underlines the need, in order to assist national capacity building, to accelerating operationalisation of the Small Islands Developing States Information Network (SIDSnet) and Small Islands Developing States Technical Assistance Programme (SIDS/TAP), with support to existing regional and subregional institutions;

30. Considers that access to electronic networks provides a unique opportunity to mitigate several specific problems of SIDS such as remoteness, isolation and lack of infrastructure; in this sense, SIDSnet can be a most effective mechanism to facilitate the collection, synthesis and share of relevant information, knowledge and experience across regional boundaries and to promote a global agenda on issues relevant to small islands and to states which are vulnerable to climate change;

31. Calls on the Commission (DGVIII/C) to make available, for presentation on SIDSnet, information on the EU SIDS-related activities/programmes/projects;

32. Recommends that each SIDS or group of states in a region develop a plan for the implementation and managing of electronic networking for sustainable development and asks the Commission, in coordination with UNDP (United Nations Development Programme) to provide technical and financial support to this end;

#### **With regard to public awareness**

33. Is encouraged by the fact that the general level of public awareness of the problems associated with climate change has improved significantly since the Earth Summit in 1992, but regrets that this has yet to be translated into significant and effective action;

34. Calls on the governments of the signatory states to the Lomé Convention and the Commission to undertake to carry out public information and communication, which in the short run, promote acceptance of necessary initiatives and in the long run will ensure changes in life style, and thus support the necessary administrative and economic initiatives. Special attention must be paid to education in order to heighten people's awareness of, and responsibility for, the environmental consequences of energy production and usage;

35. Believes that, since climate change will impact on existing systems and activities, and adaptation is likely to be left to decision-makers whose everyday interests are in other areas than climate change, programmes should be implemented in ACP and EU countries to build awareness of the need to take climate change into consideration in deciding on weather sensitive activities in sectors such as water resources, agriculture, transport, power generation, urban planning, etc.;

36. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council of Ministers, the Commission, the Secretariat of the United Nations Framework Convention on Climate Change with the request that it be circulated to all non-EU contracting parties, and the Secretariat of the Commission on Sustainable Development (CSD) of the United Nations.

#### RESOLUTION<sup>(1)</sup>

##### on the future of ACP-EU relations

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to the report submitted by the Working Party on the future of ACP-EU relations,
  - having regard to the conclusions reached at the hearings organised by the Working Group,
- A. whereas the ACP-EU partners have reaffirmed their commitment to the principles and objectives of the Lomé Conventions and, in particular, the Libreville Declaration in which the heads of state and government of the ACP countries, whilst acknowledging the contribution made by the Lomé Conventions to the social, economic, political and cultural development of the ACP countries, called for the relationship to be strengthened on the basis of a reformed, authentic and more equitable partnership,
- B. having regard to the decisive role played by the ACP-EU Joint Assembly and the European Parliament in the renegotiation and consolidation of ACP-EU cooperation,
- C. whereas globalisation has resulted in a widening of disparities, both within and between countries, whereas those disparities have been further aggravated by the financial crisis which struck a number of Asian and Latin American countries in 1998, and whereas the need to regulate the effects of globalisation on the developing world is greater than ever,
- D. whereas the soundness of the financial markets, even if it is important for worldwide economic stability, does not constitute the international community's main objective,
- E. whereas over the last ten years, following the collapse of the Communist system in the USSR and its former allies, nearly a billion people have seen the value of their income fall; and whereas the number of those living in poverty increased enormously during 1998 because of the financial crisis in countries such as Japan, Korea, Thailand, Indonesia and Brazil,
- F. reiterating the importance of civil society's role in all areas of ACP-EU cooperation, including economic and trade cooperation,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).



- G. whereas ACP-EU cooperation, which brings together 86 European and ACP countries, can play a decisive role in the process of globalisation,
- H. having regard to Article 130v of the Treaty on European Union on coherence policies, which states that the Community shall take into account the development objectives in the policies that it implements which are likely to affect developing countries,
- I. having regard to the Lomé IVa Convention and its general policy objectives in terms of poverty eradication and sustainable development in general, and rural and agricultural development and food security in particular,
- J. recalling that the renegotiation of the EU-ACP partnership is a chance to renew, revitalise and strengthen that relationship,
- K. whereas conflict and poverty are inter-linked and the objectives of ACP-EU cooperation have been frequently undermined by violent conflict, 13 of the 30 or so armed conflicts currently being fought being in ACP countries,
1. Maintains that, if sustainable development is to be achieved, human beings and their basic rights should be made the focal point of development policy deliberation and activities;
  2. Considers that equality between men and women is an essential element of development;
  3. Considers, therefore, that if the eradication of poverty is adopted as the prime objective of the next Convention, ways of redressing the imbalances afflicting the ACP countries must be found and acted upon;
  4. Considers the eradication of poverty to be a moral and political imperative, failing which the growing inequalities in an increasingly interdependent world will be a source of increasing tension and will contribute to the creation of further conflict;
  5. Considers that the political and economic objectives of future cooperation initiatives cannot be separated and that, in particular, security and the fight against poverty are closely linked;
  6. Considers that, under the new agreement, the ACP-EU partners will have both the possibility of, and responsibility for, taking up international challenges wholeheartedly, thus confirming the past and future partnership's unique contribution to international cooperation;
  7. Maintains, in particular, that the new ACP-EU Convention will provide an important opportunity for honouring the commitments and achieving the objectives adopted at international summits and notes that the OECD's Committee on Development Aid has negotiated a number of useful reference points;
  8. Considers that political and policy dialogue should systematically address major social and human development questions such as HIV/AIDS, reproductive and public health, and education in relation to the objective of poverty eradication;
  9. Stresses that health is a basic human right and needs to be integrated as a principle of cooperation under any new agreement and that improved health status as a part of social and human development should be an objective in all aspects of future EU/ACP cooperation;
  10. Stresses that in countries where a broad societal and sectoral approach to health and education is pursued by government — in coordination with international donors — the benefits are obvious, and commends those ACP governments which have adopted such an approach;
  11. Emphasises that this approach is invariably based on: sound human development policies focussed on the needs of the poorest; an adequate reflection of these policies in priorities for budget allocation; an open dialogue at all levels, from policy formulation to delivery on the ground;

12. Maintains that investment in peace, health and education is complementary, that all these issues are interconnected and that to provide people with a stake in peace and access to education and health services is an essential precursor to combatting poverty;

13. Recalls that, while GNP is still the indicator most frequently used to measure development, recent research shows that human development indicators give greater priority to the welfare of the people; hopes that particular attention will be paid to the new indicators in measuring the progress achieved;

### **Trade and Investment**

14. Reasserts the need for the next ACP-EU agreement to include a trade cooperation aspect which will contribute to eradicating poverty, promote the economic and social development of the ACP countries and take into account their differing levels of development;

15. Calls on the Commission to make a gender analysis of the importance of proposed trade and investment policies;

16. Calls for the full participation of civil society in decision-making activities on trade and investment issues;

17. Considers that the multilateral trade system should be democratised through an effective and equitable participation of developing countries in WTO decisions and greater involvement of civil societies;

18. Calls for a ten-year transition period during which trade preferences will be revised and adapted to the new rules of the WTO;

19. Calls for the creation of the necessary conditions to allow ACP enterprises to be able to compete with EU enterprises under conditions of free trade before any consideration is given to the introduction of reciprocity;

20. Considers that ACP and EU partners should work together to make WTO rules more development-friendly and to ensure that, within the WTO framework, implementation of the Marrakesh Agreement is compatible with the European Union's commitments vis-à-vis trade with ACP countries;

21. Considers that integration of developing countries in world trade should be coupled with empowering them to participate in WTO decision-making procedures and to take advantage of dispute settlement mechanisms; calls therefore on European and ACP partners to work together on the creation of a legal aid centre independent of the WTO tailored to supporting developing countries in WTO procedures and mechanisms;

22. Calls on the European Union to take account of ACP and developing country interests in determining its future policies on trade, agriculture, fisheries and other relevant issues, in accordance with the Amsterdam Treaty;

23. Calls on the negotiators of the new Lomé Convention to include provisions relating to the principles of Article 8(j) of the Convention on Biodiversity (CBD) concerning the preservation of knowledge, innovation and the practices of indigenous and local communities and their intellectual property and cultural property rights, including approval, involvement and the equitable sharing of benefits of any use of such resources;

24. Calls on the negotiators of the Lomé Convention to include provisions which guarantee national sovereignty with regard to genetic resources by banning biopiracy, patents on living organisms (TRIPS), and the development of sterile varieties by genetic manipulation ('terminator technology');

25. Stresses that, with reference to non-LDC countries, the future trade agreement should maintain preferential access for a significant proportion of ACP countries' exports;

26. With regard to the review of the product protocols, calls for the precise and unique circumstances of each industry to be taken into account and that the protocols be tailored, on a case by case basis, to the requirements of each industry, and provide for the roll-over of the sugar, banana and beef/veal protocols, to ensure the survival of these industries. With respect to rum, calls for the creation of a new protocol which ensures the abolition of all quotas in 2000, and continued duty-free access, as well as a new compensation mechanism designed to offset sudden EU market liberalisation in 2003;

27. Considers that the stabilisation of revenue from basic products continues to be a major challenge for the ACP countries and that the STABEX must therefore be maintained, although arrangements must be made to ensure more expeditious payments and benefit producers in the affected sectors;

28. Firmly believes that the development of the private sector, in particular of small and medium-sized enterprises, can give a vital impulse to sustainable economic and social development; calls on the ACP-EU negotiators to considerably strengthen the role of the private sector in the future Convention by creating the right political and economic conditions for its rapid growth;

29. Welcomes the fact that the role of the private sector in the development process is now fully acknowledged and that, therefore, the inclusion of the private sector is a major challenge for the new Convention;

30. Welcomes the fact that the ACP countries have devised an integrated strategic approach to the renegotiation of the Convention which goes beyond a mere revision of the instruments; also welcomes the comprehensive EU mandate conferred by the EU Council on the Commission, which followed the wide-ranging process of consulting civil society launched by the Commission Green Paper;

31. Calls for an investment protection mechanism which will encourage foreign investment while providing for Environmental Impact Assessments and promoting acceptable social standards;

32. Stresses the importance of local investment, particularly in the SME and micro enterprise;

#### **Political framework for conflict prevention and post-conflict reconstruction**

33. Stresses that transparent local and national political systems enable people to deal with tensions and to resolve their differences in peace, in an environment in which law and order prevail and in which rules are observed and applied; considers, therefore, that the existence of democratic government, press freedom and an impartial police force and legal system and the condemnation of corruption are decisive factors in conflict prevention; calls on the negotiators of the next Convention to define the conditions which will provide greater support for the reform of legal systems, for the training of police officers and soldiers, for human rights and for the rule of law;

34. Maintains that conflict impedes development in the ACP countries and that it is responsible for extreme poverty in a number of regions;

35. Is aware that stability and peace require long-term investment and that this requires lengthy and often low-key political efforts;

36. Considers that the time has come for resolute, though determined action in order to prevent or resolve conflicts and considers that the necessary humanitarian aid must not be used as a substitute for action;

37. Maintains that the pursuit of development strategies which effectively combat poverty and insecurity is the most effective way of preventing tensions and conflicts;

38. Considers that conflict prevention should not be an 'added extra' but should underlie all aspects of development and trade policy and therefore be an integral part of the next ACP-EU agreement;

39. Maintains that economic pressures, further aggravated by the process of globalisation, can be a factor in the development of conflicts, that the increasing polarisation between wealth and poverty encourages such conflicts, and that solidarity — an essential aspect of the EU-ACP partnership — must therefore be protected and strengthened;

40. Stresses that, particularly in Africa, environmental degradation, over-population and the resulting struggle for water, land and resources are essential factors in the emergence of tensions and conflicts and considers, therefore, that access by the people to resources should be an integral part of environmental protection strategies;
41. Points out that cultural, ethnic or religious tensions are greatly inflamed if people no longer have access to resources on an equitable basis and that investment in basic social needs (particularly health and education) consequently helps to reduce the risks of instability and violence;
42. Reiterates the importance of obtaining access to justice for all members of society;
43. Considers that the stability of a society depends to a large extent upon the way in which civil society is organised and supported and the ability people have to express themselves, and therefore calls for greater support to be given to the various representative bodies of civil society;
44. Stresses, in particular, that promoting the strict equality of men's and women's rights is a sound investment in terms of peace and security and notes that, even more than in other areas, women have essential roles to play in defusing tensions since they look for ways of achieving peace and security in order to protect their family and to be able to bring up their children;
45. Welcomes the fact that macro-economic reforms are now better adapted to the realities and the potential of the various countries but stresses that the social implications thereof are still only partially taken into account; considers that structural adjustment plans must be more transparent and that the International Monetary Fund must take into account the political side of the problem for any decisions adopted. At the same time, applauds the new orientations of the World Bank (IBRD) in its dealings with developing countries;
46. Stresses that debt relief is an essential condition for development for ACP governments and fully agrees with increasing demands from ACP and EU leaders as well as civil society to the effect that debt strategies must be incorporated into effective development strategies, including conflict prevention;
47. Points out that 'post conflict' societies have special needs and that the rapid establishment of social services and effective demobilisation and reintegration of soldiers should be given special priority;
48. Considers that smooth and gradual integration of the ACP countries into the world economy on the basis of equitable rules and with due regard to their level of development will contribute to economic and political stability;
49. Regrets the increased tendency of some African States towards unilateral armed intervention in the internal conflicts of other sovereign African States;
50. Deplores the fact that, in recent times, military expenditure has increased in a number of developing countries to the detriment of funding for education and health care, and therefore considers that the ACP-EU partners should agree on maximum ceilings for military expenditure and minimum thresholds for expenditure on education and health care;
51. Welcomes the fact that the European Union has agreed upon a Code of Conduct for arms sales and calls for the implementation and strengthening of that Code to be discussed by the negotiators;
52. Stresses that the presence of millions of small arms circulating in many ACP countries actually impedes development and that assistance should be given to efforts to collect in such weapons;
53. Calls for a bold new approach focussing on human beings and the future to be adopted by the negotiators;
54. Calls for greater support for regional and subregional conflict-prevention and peace-restoration mechanisms;

**Health and education in social and human development**

55. Considers that there needs to be a strengthening of the key provisions relating to basic services including education, health, water and housing;

56. Calls for a Social and Human Development Chapter in the new EU/ACP agreement for future relations, with specific sub-chapters on health and reproductive health;

57. Stresses that interventions aimed at improved health and targeted towards the poorest will require additional and inter-sectoral efforts alongside and including the health sector;

58. In this regard calls for capacity building in social and human development areas as an additional area of focus for the new EU/ACP agreement;

59. Calls on the EU and ACP countries to guarantee budgetary allocations to primary health and education as envisaged under the UN Copenhagen Conference 20/20 initiative which proposes that at least 20 % of government spending and donor support should be allocated to these areas and that EU and ACP government spending should be additional to, not instead of;

60. Stresses that levels and rates of spending are insufficient in assessing the 'performance' of individual ACP countries and that actual development impact, in terms of improved health and educational standards, should determine assessments of performance in addition to levels of funds spent;

61. Calls for the inclusion of human development indicators — in addition to macro-economic indicators such as GDP — as indicators of poverty;

62. Stresses that development programmes and projects in ACP countries should be systematically assessed through 'health impact assessments' for their impact on the health and the well-being of populations affected or involved in, for example, the construction of dams and roads;

63. Reiterates that ownership of interventions in relation to poverty alleviation is crucial and that this requires early involvement from civil society in the formulation of policies and programmes;

64. Stresses that the increased efforts for an integrated approach on social and human development issues needs to be complemented by an increased capacity and expertise for policy formulation and dialogue at the level of the European Commission and EU Delegations;

65. Reiterates that the EU has an important role to play with regard to increased policy coherence and coordination on poverty-focused social and human development interventions amongst EU Member States and with other international donors;

66. Calls for an increased focus on medical and other interventions to combat infections such as HIV/AIDS, Malaria and Tuberculosis;

67. Stresses that the prevention of HIV/AIDS remains a very important challenge beyond the year 2000 calls on politicians in ACP countries to address HIV/AIDS through visible, broad, inclusive national strategies which have been the key to stemming the spread of the disease in Senegal and Uganda;

68. Calls for the Commission, together with its international partners and EU member states, to strengthen efforts to develop and ensure accessibility of an AIDS vaccine and a vaginal microbicide product as additional preventive methods;

69. Commends those EU and ACP governments which have contributed to acquiring and sharing knowledge relating to HIV/AIDS interventions, which has enabled sound HIV/AIDS practices and policies to be identified;

70. Calls for investment in the acquisition and sharing of knowledge to be a priority area for health cooperation in future EU/ACP relations, knowledge being a public good which can greatly benefit the poorest countries;
71. Calls for the urgent inclusion of ACP Ministers for Social and Human Development Sectors in the current negotiations and in all policy dialogue on poverty-focused interventions in ACP countries;
72. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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**RESOLUTION<sup>(1)</sup>****on the impact of structural assistance to the European fisheries sector on the sustainable development of the ACP fisheries sector**

*The ACP-EU Joint Assembly,*

— meeting in Strasbourg (France) from 29 March to 1 April 1999,

- A. having regard to its previous resolutions on fisheries, particularly those referring to the ACP fisheries sector and the 8th EDF, and ACP-EU Cooperation in the fisheries sector beyond the year 2000,
  - B. having regard to the EU's legal obligation under the Maastricht Treaty to ensure coherence between its various policies, including the Common Fisheries Policy and the policy for development cooperation,
  - C. having regard to the commitment taken through the Amsterdam Treaty, to integrate sustainable development principles in other EU policies (Art. 2 and Art. 6),
  - D. having regard to the commitment of the European Union to apply the principles enshrined in the FAO Code of Conduct for Responsible Fisheries,
  - E. having regard to Court of Auditors report No 18/98 on Community measures to encourage the creation of joint enterprises in the fisheries sector, and particularly the criticisms of how disbursements have been managed,
  - F. having regard to the proposal of the European Commission regarding Community structural assistance in the fisheries sector (COM (1998) 728 final), particularly the redefinition of joint enterprises,
  - G. recognising that the overall objective of ACP-EU fisheries relations is to promote the development of fisheries activities in ways which conserve fish stocks and maximise the valorisation/value of ACP fisheries resources, and which also take into account, in priority order, the needs of the local population for access to fishery resources, food, employment and income,
- 1. Is convinced that the aim of the creation of joint enterprises should be to improve the economic efficiency and equity of fishing operations, at local level, of the ACP countries, keeping in mind that the basic objective is the sustainable development of the fisheries sector in the ACP countries through maintenance of a productive resource base;
  - 2. Estimates that the lack of information on the state of stocks in ACP waters, on fishery activities undertaken through joint enterprises in ACP States (subsidised by European structural funds), and on their impact on local ACP fishery sector development, calls for the application of a precautionary approach in this area;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

3. Estimates further in this context that special long-term efforts are required by ACP countries in collaboration with their EU partners to strengthen ACP human and institutional capacity in order to analyse and manage the sector through training and high quality joint research;
4. Notes that the strengthening of ACP economic and policy analysis and of monitoring and control capabilities are thematic priorities which should be commensurate with the requirements of managing complex fisheries;
5. Notes that there are risks in encouraging, via joint enterprises established in ACP countries, the over-exploitation of ACP fishery resources, which can distort competition for both resources and markets with the existing fisheries (capture and processing), particularly the artisanal sector;
6. Asks, within the framework of the review of the rules and arrangements regarding European Community structural assistance in the fisheries sector, that:
  - the objective of the structural measures to help achieve 'a sustainable balance between fish stocks and their exploitation...' be taken into account not only in Community waters but also in all waters where the Community fleets are actively deployed, in particular the waters of ACP States; and furthermore, maintains that
  - the objective of the structural measures 'to strengthen competitiveness and contribute to the development of economically viable enterprises...' and 'to revitalise areas dependent on fisheries' should not be achieved through subsidising forms of partnership which encourage competition for resources with local ACP fisheries sector or which increase competition for markets with local existing ACP fisheries sector enterprises (particularly in the artisanal sector);
  - the objective of the structural measures to establish joint enterprises 'to improve the supply of fishery products in the European market...' should not undermine market access for existing local ACP enterprises, particularly in the artisanal sector, nor undermine the food security of the local population in ACP states;
7. Recommends that support be provided to ACP states to enable them to control the activities of foreign (including European) fishing fleets and joint enterprises, and to develop, with the participation of the local fisheries sector, policies which include detailed plans for the management of marine fishery resources and fleets, as has been recommended by the FAO;
8. Proposes that, as a result of this plan, a coherent strategy be defined between the European Union and every ACP state, in association with the local ACP fisheries sector stakeholders, particularly those in the artisanal fishery, which will take into account the different aspects of the existing EU and foreign fleets presence (through fisheries agreements, joint enterprises, etc), as much in these countries as in those in the region;
9. Asks the European Union to undertake to ensure that all planned vessel transfers do not infringe international law or undermine the conservation and resource management policies put in place by the ACP states;
10. Asks that, within this framework, the global access of European fleets should be based on a preliminary scientific resource assessment, carried out jointly and/or by independent experts, an evaluation of the local access needs (particularly for the artisanal sector) as regards food security, employment and income, and access given to other foreign fleets;
11. Believes that, in order to achieve reduced fishing capacity in European waters and to avoid over-exploitation of ACP fisheries resources, EU structural assistance should promote alternatives to the export of fishing capacity to ACP countries;
12. Notwithstanding paragraph 8 above, and in conformity with relevant provisions of Title III, in particular Articles 58, 59 and 60 of the Fourth ACP-EU Convention of Lomé, necessary measures will be taken by the European Community and its Member States with the aim of finding avenues for closer cooperation between the EU and ACP States within the framework of well-defined joint ventures or ACP projects, in order, *inter alia*, to enhance ACP capacity to undertake economically viable fishing activities, including those related to industrial fishing;



13. Takes the view that structural aid should be used to promote the adoption of more selective fishing methods and gear by European vessels operating in ACP waters;
14. Recommends that the construction of European vessels primarily destined to fish in ACP waters should be discouraged, particularly where they increase pressure on ACP fish stocks which are either of unknown status or already locally exploited, and where they make no contribution to reducing the pressure on resources in European waters (which is the objective of the structural measures);
15. Asks the Commission to report back regularly on the measures taken regarding the application of the present resolution, particularly with regards to resources assessment in an ecosystem context; furthermore related support should be given to management for sustainable use;
16. Encourages ACP governments at national or provincial levels, as appropriate, to establish protected marine areas in order to conserve the productivity of their waters and replenish heavily fished areas, and thus also safeguard marine biodiversity for multiple purposes;
17. Encourages the development of new relationships between governments and private sector operators, small-scale and industrial alike, to underpin such sustainable management approaches for mutual benefit;
18. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

#### RESOLUTION<sup>(1)</sup>

##### on the situation of children in the ACP countries

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
- having regard to the resolutions on matters relating to the interests of children previously adopted by the ACP-EU Joint Assembly,
- having regard to Article 244 of the current Lomé Convention,
- having regard to the Junker General Report on the 'Significance of the UN World Conferences of 1990 to 1996 for cooperation between the European Union and the ACP States in the framework of the Lomé Convention',
- having regard to the European Parliament's Rocard report on the Commission communication on the guidelines for the negotiation of new cooperation agreements with the African, Caribbean and Pacific (ACP) countries,
- whereas the Commission Green Paper on the future of ACP-EU development cooperation makes only one reference to young people, and none at all to children,
- having regard to the United Nations Universal Declaration of Human Rights of 1948,
- having regard to the United Nations Declaration on the Rights of the Child of 1959,
- having regard to the International Covenant on Economic, Social and Cultural Rights of 1976,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

- having regard to the United Nations Convention on the Rights of the Child of 1989, the only human rights document to date that has been ratified by all States, with the exception of the United States and Somalia,
  - having regard to the World Summit on Social Development held in Copenhagen in 1994,
  - having regard to the Fourth World Conference on Women held in Beijing in 1995,
  - having regard to the International Conference on Child Labour held in Oslo in 1997,
  - having regard to EU budget heading B7-612: Preparatory actions undertaken through non-governmental organizations (NGOs) in the campaign against child discrimination,
- A. whereas 90 % of all children live in developing countries and every third person worldwide is a child under 15, and in some parts of Africa almost every second person is a child,
- B. whereas the needs of children are not the same as those of adults, and whereas the rights of children are an inseparable, integral part of human rights,
- C. whereas more than half of all child deaths are associated with malnutrition, which leads to physical and mental handicap and chronic susceptibility to disease,
- D. convinced that the right to education is a fundamental right, to be granted to boys and girls alike, and whereas 130 million school-age children worldwide grow up without access to primary education, and whereas over 150 million children who start school do not complete more than four years of schooling,
- E. whereas a 10 % increase in the number of girls who start primary school leads as a general rule to a drop in infant mortality,
- F. whereas some 250 million children between the ages of 5 and 14 are currently working in developing countries and whereas poverty is the main reason for child labour,
- G. whereas religion, custom and tradition are no excuse for tolerating the genital mutilation of girls and under-age young women,
1. Welcomes the creation of budget heading B7-6 1 2: Preparatory actions undertaken through non-governmental organizations (NGOs) in the campaign against child discrimination, and calls for a legal base for this to be established;
2. Calls on the EU and all 70 signatories to the UN Convention on the Rights of the Child to incorporate the principles enshrined therein in their national legislation and to comply with the obligation to implement development policies geared to the needs of children;
3. Suggests, on the occasion of the tenth anniversary of the UN Convention on the Rights of the Child, working towards the adoption of a Council decision which would help to give prominence to children's rights in EU development cooperation in the areas of development, trade and humanitarian aid;
4. Calls for the Post-Lomé Convention to enshrine protection of and respect for children's rights, and for the negotiations on the future of Lomé to take account of its impact on the needs of children;
5. Calls on the Commission to set up a Child Desk along the lines of those already existing in DG VIII in connection with gender, poverty and the environment, which would contribute to the evaluation and preparation of good models;
6. Suggests that a key theme of an ACP-EU Assembly should be the interests of children in development cooperation;
7. Calls, in ACP-EU cooperation, for more resources to be allocated to combating poverty and meeting fundamental needs than are currently available under the eighth development fund;
8. Calls for emergency aid measures to be implemented in areas of famine and calls on the ACP States to spend an appropriate portion of their budget on securing food supplies and basic education for their population, instead of on defence;

9. Calls for basic health services to be made as widely available as possible in the ACP States for the early treatment of disease, health education and family planning, AIDS prevention and medical care for HIV-positive children;
  10. Calls on all the ACP countries to endeavour to provide nationwide access to primary education and to introduce compulsory schooling for boys and girls, at the same time providing flexible forms of education which are geared to regional population levels, numbers of school-age children, and local customs, for example mobile education provision in thinly populated areas or for population groups with nomadic life styles, and teaching of manual skills with a view to later job prospects;
  11. Calls on the ACP regions to ensure that pregnant girls are on no account forced to leave school because of their pregnancy, but instead receive special support from the State and other agencies at least until the completion of their education;
  12. Advocates the development of strategies to prevent child labour and calls on the EU, as well as the ACP countries, to make free educational facilities an attractive alternative to child labour which provides a long-term way of escaping from poverty, for example by the payment of wages to schoolchildren;
  13. Calls on the ACP States to take direct action against child labour by outlawing child labour that is dangerous and damaging to health, as well as forms of child labour akin to slavery, laying down minimal provisions on hygiene, food and breaks from work and setting up bodies to represent young people;
  14. Calls on the ACP countries to introduce more stringent national laws against sexual abuse, sex tourism and child pornography, and to ensure that they are respected;
  15. Calls for close bilateral and international judicial cooperation between the EU and ACP countries which are sex tourism destinations, as well as international cooperation with law-enforcement agencies in third countries in combating sexual abuse, sex tourism and child pornography;
  16. Calls on the Union, the Member States and the ACP countries to provide effective education on sexual abuse, sex tourism and child pornography, and to involve the international tourism industry in these efforts;
  17. Calls on the Member States of the Union and the ACP States to make the circumcision of under-age women a punishable offence where this is not already the case and to continue, with assistance from the EU, the campaign launched by UNICEF against female genital mutilation;
  18. Calls on the EU and ACP States to develop programmes to improve the situation of disadvantaged children such as orphans, street children, homeless under-age mothers and refugees;
  19. Calls on the EU and ACP countries to do everything in their power to ensure that children are not required to serve as soldiers, and to take active steps against the use of anti-personnel mines and to promote the elimination of existing mines in the ACP countries;
  20. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the United Nations Secretary-General.
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**RESOLUTION<sup>(1)</sup>****on child soldiers**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to the 1989 United Nations Convention on the Rights of the Child,
  - having regard to the 1996 United Nations report by Mrs Graca Machel (A/5/306) and the appointment of Mr Olara Otunnu as United Nations Special Representative for the impact of armed conflict on children,
- A. deploring the fact that worldwide more than 300 000 children under 18 are currently participating in hostilities,
  - B. regretting the fact that several countries, including African countries, are particularly affected by the phenomenon of children participating in armed combat,
  - C. whereas children suffer disproportionately from the hardships of military life, at both a physical and an emotional level,
  - D. whereas to the number of children killed in combat or mutilated by anti-personnel mines must be added those whose physical, mental and psychological needs have been neglected in societies engaged in long-lasting wars,
  - E. whereas since 1993 a United Nations working party has been examining an optional protocol to the International Convention on the Rights of the Child aimed at setting the minimum age for recruitment into the armed forces at 18,
  - F. whereas the statutes of the International Criminal Tribunal, adopted in Rome in July 1998, stipulate for the first time that the recruitment and use in combat of children under 15 constitutes a war crime,
  - G. welcoming the new United Nations policy concerning a minimum age for taking part in operations by UN peace-keeping forces, military observers and civil police forces,
  - H. stressing that one of the primary objectives of the future ACP-EU Convention should be to promote, by means of a serious, sustained effort by all signatories, the prevention of use of children in armed conflicts, as well as their protection and rehabilitation in society,
1. Condemns the use in combat of child soldiers, whether by regular government forces or armed rebel groups;
  2. Calls on the ACP countries and the EU to ban any participation by children in armed conflicts and to raise public awareness of the international instruments and national laws on the rights, protection and welfare of children;
  3. Calls on the Commission and the ACP countries to take prevention, protection and reintegration measures and, in particular, to put in place programmes aimed at allocating resources to demobilising and reintegrating into society children who have taken part in armed combat in the ACP countries;
  4. Regards as an urgent need the adoption of an additional protocol to the International Convention on the Rights of the Child forbidding the recruitment and use in armed combat of children under 18, and calls on the ACP countries and the EU to support all international initiatives to this end and to introduce identical provisions into their own legislation;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

5. Calls on the United Nations working party to complete as a matter of urgency a protocol to the Convention on the Rights of the Child, and calls on the Council to adopt a joint action promoting the adoption of this protocol, while making the fight against the use of child soldiers a policy of the ACP-EU partnership;

6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations Special Representative for the impact of armed conflict on children and the United Nations Commission on Human Rights.

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### RESOLUTION<sup>(1)</sup>

#### **on the situation in the Great Lakes and the Democratic Republic of Congo in particular**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
- recalling its previous resolutions on the situation in the Great Lakes Region and in the Democratic Republic of Congo in particular,
- recalling the EU Presidency Declaration of 17 February 1999,
- A. deeply concerned at the persistent instability in the Great Lakes Region and at the grave situation in the Democratic Republic of Congo in particular, where an eight-month war is causing further death and destruction, is generating a new exodus of refugees and is threatening to develop into a full-scale regional conflict,
- B. noting with concern the involvement of foreign forces in the RDC conflict,
- C. concerned by the serious destabilisation caused in the Democratic Republic of Congo by the presence on its territory of many rebel groups — in particular those that were defeated in the Rwandan civil war and were guilty of the genocide — which use this country as a base for their offensives both within the RDC and against the neighbouring countries,
- D. concerned by the fact that these rebel groups use the civilian population as hostages and enrol even children in their forces; concerned also by the many civilian casualties which result from these activities, as recently brought to international attention by the brutal massacre of eight foreign tourists and four Ugandan park guards and guides at Bwindi Mountain Gorilla Sanctuary by Hutu rebels operating in the region,
- E. whereas the continuing presence of refugees in the Great Lakes Region, owing to the persistent ethnic violence and gross human rights violations that have characterised the recent history of Rwanda, Burundi and Democratic Republic of Congo, has resulted in a tremendous humanitarian crisis, which requires the urgent attention of the international community, as well as full and unconditional access to be granted to humanitarian agencies and personnel,
- F. deploring that EU and ACP countries do not always provide full support to the Arusha tribunal despite the crucial role that it is playing in terms of both avoiding impunity for the Rwanda genocide and preventing further violence in the region,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

G. encouraging the reconciliation efforts and the peace initiatives promoted by the governments of South Africa and Zambia,

1. Condemns all the human rights violations, summary executions, torture, harassment, ethnically motivated arrests of civilians, enrolment of children as soldiers as well as ethnic propaganda and incitement to ethnic violence which have been openly committed in the RDC conflict;
2. Reaffirms the principle of the inviolability of the borders inherited from the colonial period, in accordance with the spirit and letter of the relevant provisions of the United Nations Charter and the OAU Charter;
3. Condemns all violations of the DRC's territorial integrity;
4. Calls for an immediate ceasefire, respect for international humanitarian law and the opening of negotiations among all parties involved, with a view to finding a political solution to the conflict that will guarantee the territorial integrity of the RDC, address the security problems of its neighbours and bring about the withdrawal of all foreign forces from the RDC and the release of all prisoners arbitrarily detained;
5. Welcomes in this context the recent acceptance by President Kabila of the principle of entering into negotiations with all parties to the conflict, including the rebel movement;
6. Insists that any negotiated settlement in the Democratic Republic of Congo must be based on a process of national reconciliation which fully respects the equality and the harmonious coexistence of all ethnic groups, allows for the return and reintegration of refugees and displaced persons, and leads to the holding of early free and fair democratic elections;
7. Calls on the RDC authorities to restart the process of democratising the country, not failing to implement the unconditional legalisation of political parties, the abolition of censorship of the press and the release of political prisoners;
8. Calls for the various regional peace initiatives sponsored by SADC, the OAU, President Chiluba, and the EU Special Envoy, Mr Ajello, to be better coordinated in order to provide a single framework of mediation efforts;
9. Encourages the governments of South Africa and Zambia not to weaken in their conciliation efforts and to continue their efforts in pursuit of a peaceful solution to the conflict;
10. Calls on the EU Council to sponsor a unitary peace initiative for the RDC, under the relevant sections of the CFSP, that would go beyond the customary declarations and match the EU's significant humanitarian commitment;
11. Welcomes the activity of the International Tribunal for Rwanda, despite the very difficult circumstances in which it has to carry out its mandate, it being an essential element for securing the region, preventing further violence and avoiding impunity through respect for the law;
12. Calls on all parties to the conflict to grant relief agencies full and unconditional access to the populations in need; calls on the Commission to step up its humanitarian aid to the region to cope with the renewed exodus of refugees;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the UN, OAU and SADC Secretaries-General.

**RESOLUTION<sup>(1)</sup>****on support for the peace process in Burundi**

*The ACP-EU Joint Assembly,*

— meeting in Strasbourg (France) from 29 March to 1 April 1999,

- A. having regard to the progress which has already been made in the peace process between Burundians, both through the Arusha negotiations and by means of the internal debate which is taking shape within Burundi,
  - B. whereas moral, political and economic support should be offered to the Burundian people, who must make an all-out effort to achieve a lasting peace and genuine national reconciliation,
  - C. whereas all Burundians without exception must be involved in the Arusha negotiations being held under the auspices of Mwalimu Julius Nyerere, so that such a lasting peace can be achieved,
1. Firmly supports the peace process between Burundians in both its internal and external aspects and calls for all the parties involved in the conflict to attend the Arusha negotiations under the auspices of the mediator, Mwalimu Julius Nyerere;
  2. Urges the countries of the subregion to continue to assist the peace process in Burundi by ensuring that no activities are carried on within their territory which are likely to disturb or thwart the efforts being made by the Burundian people to secure a permanent reconciliation;
  3. Calls on the European Union and the international organisations to resume cooperation in all its forms in order to encourage the Burundian people to achieve success in their peace process, which will certainly have a positive impact in the subregion from the point of view of stability in Africa;
  4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on the situation in Congo-Brazzaville**

*The ACP-EU Joint Assembly,*

— meeting in Strasbourg from 29 March to 1 April 1999,

— having regard to its earlier resolutions,

- A. expressing deep concern at the extremely tense situation which has arisen in Congo following several months of relative calm and which is reflected in frequent and violent clashes between government forces and private militias,
- B. drawing attention to the fact that the ruthless fighting between militias and the regular army backed up by Angolan forces, which is taking place mainly around the capital and in the south of the country, has already claimed several thousand victims among the civilian population,
- C. denouncing the acts of violence perpetrated mainly by the militia, the arbitrary arrests and summary executions, and the rising number of human rights violations,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).



- D. concerned in particular about the plight of the Congolese population which the new outbreak of fighting has forced to flee to inland areas or to the Democratic Republic of Congo, and alarmed by the fact that several hundred people have died during the course of this exodus,
- E. expressing concern at the deteriorating humanitarian situation in Congo and drawing attention in particular to the great difficulties experienced in bringing in supplies of foodstuffs and medicines and the fact that the capital is frequently deprived of water and electricity,
- F. pointing out that the security breakdown in Congo is making the work of humanitarian organisations extremely difficult and that looting is becoming increasingly common,
- G. expressing concern at the dissemination of weapons throughout the country, which is exacerbating the prevailing climate of insecurity, and noting the efforts being made by the Congolese authorities to disarm the population,
- H. dismayed by the passivity bordering on indifference which the international community has shown with regard to the dramatic situation in Congo and deploring in particular the lack of initiative shown by the EU and its failure to intervene in this conflict despite the major risk of the situation escalating and the whole of Central Africa being caught up in the violence,
- I. aware of the urgent need to break the spiral of violence in Congo and finally begin the task of reconstructing that country — something which cannot be done until a climate of national reconciliation has been established,
1. Condemns the acts of violence being committed in Congo and urges both militias and government forces to call a halt to the violence;
  2. Considers that national reconciliation is the only way of restoring peace and stability to the country; in this connection, asks the Congolese authorities to show a willingness to foster reconciliation and relieve political tensions by allowing the country's former leaders to return to Congo, so as to enable a dialogue to be established with all the country's political and social movements and the democratic process to be put back on the rails;
  3. Calls furthermore on the Congolese authorities to open discussions leading to the re-establishment of the rule of law and democratic institutions in Congo by means of the drafting of a new constitution and the holding of free and democratic elections;
  4. Deplores the fact that the European Union, which has a major responsibility to its African partners, is not more closely involved in the settlement of the conflicts proliferating on that continent; calls in particular on the Council and the Commission to foster national reconciliation in Congo;
  5. Hopes, in this connection, that foreign intervention of all kinds, including military intervention, will rapidly be brought to an end;
  6. Calls on the Commission to step up the provision of humanitarian aid to the Congolese population;
  7. Calls on all the parties to the Congolese crisis to ensure the safety of the staff of humanitarian organisations and to facilitate the forwarding of aid to the country's population;
  8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN and OAU Secretaries-General, and the Congo-Brazzaville authorities.

**RESOLUTION<sup>(1)</sup>****on the resumption of hostilities between Ethiopia and Eritrea**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to its previous resolutions on the conflict between Eritrea and Ethiopia,
- A. highly concerned at the resumption of the war between Ethiopia and Eritrea after seven months of relative calm, and recalling that the war first broke out in May 1998,
- B. whereas this conflict has caused tens of thousands of people to become refugees or to be evacuated and has inflicted terrible suffering on the civilian populations of both countries,
- C. regretting the fact that the efforts made by the international community in general and by the OAU in particular with a view to finding a peaceful solution to the disputes between the two countries have not yet proved successful,
- D. whereas the OAU has proposed a framework agreement designed to bring the conflict to an end, an agreement which has been accepted by the Ethiopian Government and was recently signed by the Eritrean Government,
- E. firmly believing that maximum commitment from the entire international community is needed in order to help re-establish a peace process between the two countries,
- F. concerned that, in the absence of a peaceful solution, the conflict could destabilise the entire region and lead to an even more serious human tragedy,
- G. aware of the fact that, above and beyond the settlement of the border issue, only a clear definition of the rules governing the political and economic relations between the two countries can bring about a lasting peace on the basis of respect for the legitimate interests of both countries,
1. Firmly condemns the resumption and continuation of hostilities between Eritrea and Ethiopia;
  2. Calls on Ethiopia and Eritrea to commit themselves to the peaceful resolution of the border conflict, by agreeing to an immediate cessation of hostilities, in accordance with the rapid implementation of the OAU framework agreement (new article);
  3. Deeply regrets the extensive loss of human life since the start of the hostilities between the two countries;
  4. Calls on the Council and the EU Member States to be ready to play a part in implementing the OAU's proposal, including the dispatch of a neutral international monitoring force which should be deployed along the border between the two countries;
  5. Calls on all the political forces and all the components of civil society in Ethiopia and Eritrea to do all they can to put pressure on their respective governments with a view to finding a peaceful solution to the conflict;
  6. Deplores the fact that the current conflict has caused tens of thousands of people to become refugees or to be evacuated and calls for them to be able to return to their place of origin as soon as possible;
  7. Calls on the Commission to increase the amount of humanitarian and emergency assistance provided to refugees, deportees and evacuees in the region;
  8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the governments of Ethiopia and Eritrea and the OAU.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

**RESOLUTION<sup>(1)</sup>****on the situation in Nigeria**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - recalling its previous resolutions on the situation in Nigeria,
  - recalling the EU Presidency's declaration of 3 March 1999,
- A. whereas Presidential elections took place in Nigeria on 27 February 1999,
- B. whereas these elections were clearly won by General Obasanjo, a former head of state and the only military leader who had previously handed over power to a democratically-elected civilian government,
- C. whereas the hand-over of power to the democratically elected president on 29 May 1999 will end fifteen years of military dictatorship that disregarded the most basic human rights of the Nigerian people, stifled the country's economic and social life, enriched the military junta, spread the practice of corruption and brought the country to the brink of financial collapse,
- D. whereas the elections were held peacefully, on the basis of a multi-party system and democratic principles, and are regarded by international observers as generally reflecting the wishes of the Nigerian people, despite some irregularities that need to be investigated,
- E. whereas Nigeria has great political, economic and demographic importance in Africa, and whereas sustained democratic development in this country could have very positive repercussions — both in political and in economic terms — on the immediate sub-region and, indeed, the whole continent,
1. Expresses its satisfaction at the holding of the presidential elections in Nigeria and congratulates the President-elect, General Obasanjo, and all the Nigerian people for an election held in a spirit of openness and which proceeded peacefully;
  2. Observes that there was an outbreak of violence in some parts of the country after the elections and appeals to all parties concerned to eschew bitterness and in particular to the defeated candidate, former Minister Falae, to accept and honour the results and to contribute to the appeasement of the country and the welfare of the Nigerian people;
  3. Nevertheless draws attention to some irregularities that were encountered in the running of the election and that need to be urgently investigated;
  4. Hopes that the new president will be successful in appeasing regional tensions within the country and in maintaining national unity with the consensus of the Nigerian people;
  5. Calls on the new Government to attach the highest priority to the development of a democratic culture in Nigerian society — in particular within the military establishment — and to strengthening the rule of law, respect for human rights and good governance;
  6. Calls on the Commission to propose without delay a package of measures to promote and accompany the necessary political and economic reforms that now represent the biggest challenge for the newly elected president;
  7. In the light of the above, calls on the EU Council to review its common position on Nigeria at the earliest opportunity;
  8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the OAU.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

**RESOLUTION<sup>(1)</sup>****on the situation in Sierra Leone**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to its earlier resolutions on the situation in Sierra Leone,
  - having regard to the European Union's declaration of 12 January 1999 on Sierra Leone,
- A. deploring the resurgence of violence in Sierra Leone in early 1999,
- B. whereas the clashes which took place in Freetown claimed thousands of victims, particularly among civilians, and sparked off a major humanitarian crisis which has led to a fresh exodus to neighbouring countries,
- C. expressing horror at the campaign of terror and intimidation conducted by the rebels over recent months against the civilian population, particularly the atrocities committed on women and children,
- D. shocked at the widespread use of child soldiers in the conflict, especially by the rebels, and at the high number of casualties and the suffering of children subjected to the hardships of military life,
- E. pointing out that, since the elected president Ahmed Tejan Kabbah was returned to power in March 1998 and the junta was removed from power several months after its military takeover, fighting has continued unabated in Sierra Leone and is continuing to cause much suffering to the population of that country,
- F. aware that control of the country's diamond-producing areas is one of the main stakes in the conflict,
- G. whereas the humanitarian situation remains extremely delicate in the capital, owing to the fact that the clashes make it extremely difficult to bring in provisions, most of which come from the interior of the country,
- H. condemning the execution on 19 October 1998 of 20 or so members of the military junta who had been sentenced to death by a court martial with no possibility of appeal, and expressing the conviction that those executions did nothing to further the peace and national reconciliation process,
- I. drawing attention to the efforts being made at regional level by the Economic Community of West African States to find a peaceful solution to the crisis in Sierra Leone,
- J. whereas the statement by President Kabbah on 7 February 1999 to the effect that he intended to continue his efforts to establish a dialogue with the rebels, the call for a ceasefire which the rebel leader, Foday Sankoh, made from his cell and the promise that a meeting would be organised between the latter and his military commanders prior to the opening of peace negotiations, all indicate that relations are becoming less strained,
1. Condemns the new attempt to seize power made by Sierra Leonean rebels in January 1999;
  2. Condemns the atrocities committed by the rebels on Sierra Leonean civilians and enjoins the rebels to put an immediate end to such barbarous acts and to stop creating a climate of terror in the country;
  3. Urges the government and, in particular, the rebels, to bring hostilities to a lasting end in all parts of the country;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

4. Notes the desire for appeasement shown by President Kabbah and the rebel leader, Foday Sankoh, and hopes that the meeting to be organised on neutral ground between the leader of the RUF and his military commanders will lead to a firmer commitment on their part to resume a constructive dialogue with a view to revitalising the process of national reconciliation and drawing up a framework for lasting peace;
5. Reminds the Sierra Leonean Government of the need to abide by the international human rights commitments it has entered into, with particular reference to the International Covenant on Civil and Political Rights; asks it in particular to show scrupulous respect for every individual's right to a fair trial and to introduce appeal procedures for trials by court martial;
6. Restates its support for the mediation efforts being made by ECOWAS member states with a view to restoring peace in Sierra Leone, and calls inter alia on the European Union to provide financial and logistical support to the ECOMOG forces deployed in the country;
7. Calls on the European Union to make a greater commitment to settling the crisis in Sierra Leone by helping to formulate a negotiated settlement between the parties to the conflict;
8. Condemns the use of child soldiers in the conflict and urges both the rebels and the government troops to refrain from involving any children in the fighting;
9. Calls on the European Union and the United Nations to provide ad hoc programmes for the physical, mental and psychological rehabilitation of children who have participated in armed combat;
10. Calls on the international community, and the European Union in particular, to step up the provision of humanitarian aid to the Sierra Leonean population, which has been sorely afflicted by the conflict;
11. Urges the parties to the conflict to cooperate fully with the various providers of humanitarian assistance, with a view to enabling aid to be brought in and distributed in Freetown and throughout the country, and to ensure the safety of the staff of humanitarian organisations;
12. Calls on the European Union to provide assistance to neighbouring countries, which are having to cope with an increasingly large influx of refugees from Sierra Leone;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the government of Sierra Leone and the ECOWAS member states.

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## RESOLUTION<sup>(1)</sup>

### on the situation in Guinea-Bissau

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
- having regard to the recommendations of the Council of Foreign Affairs and Defence Ministers of the countries of the Economic Community of West African States (ECOWAS), meeting on 3 July 1998 in Abidjan,
- having regard to the Praia declarations adopted by the Heads of State and Government of the community of countries which have Portuguese as their official language (CPLP), meeting in Cape Verde from 13 to 17 July 1998,
- having regard to the Abuja (Nigeria) peace agreement which has been signed by the President of Guinea Bissau, General João Bernardo Vieira, and General Ansumane Mané on behalf of the military junta and which has enabled ministerial portfolios to be distributed and a government of national unity to be formed,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

- A. concerned at the devastating consequences of the military operations which have been conducted in Guinea-Bissau (destruction of infrastructure installations and massive exoduses, particularly of the country's managers),
  - B. concerned at the situation of refugees who are living in difficult circumstances,
  - C. having regard to the Lomé (Togo) peace agreement which supplemented the Abuja agreement and enabled ministerial portfolios to be finally allocated and a government of national unity to be formed under the auspices of the Economic Community of West African States (ECOWAS) in December 1998,
  - D. whereas the peace agreement concluded in Abuja (Nigeria) provides for an immediate cessation of hostilities, the formation of a government of national unity and the holding of general elections,
  - E. concerned at the continuing involvement of foreign troops, some of whom have been accused by international human rights organisations of human rights abuses against civilians,
  - F. welcoming the decision by the European Commission to release emergency humanitarian aid,
1. Calls on the conflicting parties to observe and fully implement the Abuja (Nigeria) agreement which was signed on 1 November 1998 by President João Bernardo Vieira and by General Ansumane Mané;
  2. Calls on the conflicting parties not to interrupt the peace negotiations, so that a peaceful, lasting solution can be found to the crisis and so as to allow the rule of law to be re-established and to enable the country's institutions to function;
  3. Supports the combined mediation efforts made by the CPLP contact group and the countries in the sub-region under the auspices of the ECOWAS with a view to encouraging a dialogue between the conflicting parties and to bringing about a peaceful solution;
  4. Stresses that any lasting peaceful solution will require a process of national reconciliation leading to guaranteed respect for Guinea-Bissau's independence and territorial integrity;
  5. Denounces the destabilising role of all foreign troops in the conflict and calls for their withdrawal, with the exception of the ones agreed by both parties within ECOMOG, as a prior condition for the implementation of the peace accord and the installation of the new government;
  6. Urges the two parties to the conflict to observe the principles of international humanitarian law and to refrain from using children in the pursuit of war or for the setting up of private militias;
  7. Calls on the neighbouring countries to do all they can to help consolidate peace and national reconciliation which, in particular, will enable the free movement of persons and goods to be reestablished;
  8. Calls on its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Secretaries-General of the UN, the OAU, the ECOWAS and the CPLP and to the Guinea-Bissau People's National Assembly.

**RESOLUTION<sup>(1)</sup>****on the situation in Angola**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to its previous resolutions on Angola,
  - having regard to the EU Declaration of 28 December 1998,
  - having regard to the relevant UN Security Council Resolutions on Angola,
- A. deploring the resumption, since December 1998, of major fighting in Angola by Jonas Savimbi's UNITA forces that poses a serious threat to peace and national reconciliation in that country,
- B. whereas Mr Savimbi and his forces bear the main responsibility for this grave setback in the peace process, through its failure to demilitarise its forces and to facilitate the extension of state administration, and through its defiance of the pressing demands of the Security Council and the international community,
- C. whereas the only hope for a lasting peace in Angola resides in a political solution through the full and unconditional implementation of the Lusaka protocol and relevant UN Security Council resolutions,
- D. strongly endorsing the demand by the UN Security Council that UNITA comply immediately and without conditions with its obligations, and supporting the full and immediate implementation of the measures against UNITA contained in UN Security Council resolutions 864 of 15 September 1993, 1127 of 28 August 1997, 1173 of 12 June 1998 and 1229 of 26 February 1999, particularly with regard to arms and diamonds,
- E. perturbed at the deteriorating humanitarian situation in Angola resulting from the growing number of refugees who run away from the fighting areas,
- F. regretting the shooting down on 26 December 1998 and on 2 January 1999 of two UN transport planes near the city of Huambo, besieged by Savimbi's UNITA,
- G. regretting the recent MONUA withdrawal from Angola,
- H. whereas the Angolan population lives in abject poverty despite the plentiful natural resources of the country, which are used to finance the conflict,
1. Condemns firmly the resumption of the war which constitutes a serious setback to the peace process and calls for an immediate cessation of hostilities since there can be no military solution to the conflict;
  2. In the meantime, calls on the UN and the EU to maintain strong international pressure on Mr Savimbi, particularly through improved implementation and tightening of existing UN sanctions;
  3. Calls for a thorough and urgent investigation by the Commission into the conduct of the diamond trade with a view to eliminating smuggling by Mr Savimbi to fund his war effort;
  4. Calls on the Government of Angola and in particular on Mr Savimbi and his forces to respect human rights and to cooperate fully with the humanitarian organisations in the delivery of emergency relief assistance;
  5. Calls on the Commission to provide the necessary resources to cope with the humanitarian crisis generated by the new exodus of refugees and displaced persons;
  6. Condemns the shooting down of UN aircraft while transporting humanitarian aid supplies;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).



7. Reaffirms its view that a continued UN presence in Angola can contribute greatly to national reconciliation;
8. Condemns the use of anti-personnel mines and urges all the parties to refrain immediately from using any kind of these particularly inhuman weapons;
9. Asks the EU, furthermore, to undertake a special initiative in the field of mine clearance in order to eliminate one of the major obstacles to building a peace economy;
10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN Security Council, the OAU and UNITA.

### RESOLUTION<sup>(1)</sup>

#### **on ACP-EU cooperation and involvement in electoral processes in ACP countries and the role of the Joint Assembly**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to the Lomé IV Convention as amended by the agreement signed in Mauritius on 4 November 1997,
  - having regard to the guidelines for the negotiation of a new EU-ACP agreement, adopted by the EU Council of Ministers on 30 June 1998,
  - having regard to the ACP negotiating mandate adopted on 30 September 1998,
  - having regard to the progress made so far in the negotiations leading to a new partnership agreement, and in particular to the conclusions of the ACP-EU Ministerial Conference held in Dakar on 8 and 9 February 1999,
  - having regard to its previous resolutions on the situation in individual countries and on human rights and democracy,
  - having regard to the Commission communication to the Council and the European Parliament on 'Democratisation, the rule of law, respect for human rights and good governance: the challenges of the partnership between the European Union and the ACP States' (COM(1998)146),
  - having regard to the report of the ACP delegation sent to observe the presidential elections in Togo on 21 June 1998,
  - having regard to the report on the mission of 23 February to 3 March 1998 to Papua New Guinea, including Bougainville, and the Solomon Islands,
  - having regard to the European Parliament's resolution of 9 March 1999 on the outcome of the 1998 ACP-EU Joint Assembly (A4-65/99),
  - having regard to Article 21 of the Universal Declaration of Human Rights,
  - having regard to the European Council's resolution of 1991 on human rights and development,
- A. whereas the European Union has repeatedly affirmed that respect for human rights, democratic principles and the rule of law constitute the cornerstone of the Union's Common Foreign and Security Policy (CFSP) and of development cooperation,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

- B. whereas the negotiations on the future agreement focus unequivocally on the political dimension of the ACP-EU partnership, and whereas democracy, human rights, the rule of law and responsible governance should constitute the basis of the future agreement,
- C. whereas democracy at the political level implies far more than the mere act of periodically casting a vote, and covers the entire process of participation by citizens in the decision-making process,
- D. whereas the right for citizens to take part in the conduct of public affairs may be achieved through a wide range of democratic political systems,
- E. whereas political pluralism, freedom of expression, equal access to the media during the campaign, secret ballots and respect for the basic rights of candidates are essential elements of democratic, free and fair elections,
- F. whereas elections in some ACP countries have regularly given cause for concern as to their proper conduct, with manipulation and irregularities taking place in their preparation, conduct and in the vote-counting procedure, and competing or opposition parties and candidates being denied an equal opportunity to campaign for votes,
- G. whereas only permanent monitoring of the electoral procedure and the process of democratisation can guarantee a realistic assessment of the problems and a successful outcome,
- H. whereas evenly constituted ACP-EU election observation delegations and missions can at the same time make an important contribution to easing critical situations in the countries in question,
- I. whereas the Joint Assembly, representing as it does the peoples of the ACP-EU States, is a key component in ACP-EU relations and can make an essential contribution to deepening the political dimension of future ACP-EU cooperation,
- J. regretting that in the past the European Parliament has quite frequently declined official invitations from the relevant countries to send election observation delegations,
- K. considering that despite the expressed need for a common EU approach to election assistance and observation, there is no common strategy on election observation tasks aimed at ensuring coordination of efforts,
1. Calls on the ACP Governments to observe the principle of the alternation of power between political parties by holding free, properly organised elections in a context of political pluralism, democracy and the rule of law;
  2. Stresses the importance to a non-repressive society of freedom of information, the press and opinion, as well as freedom of political opposition, including fair access for competing political parties to the mass media;
  3. Believes that it is up to the ACP countries to set up their own democratic institutions capable of ensuring respect for all human rights;
  4. Believes, in this context, that it is essential to guarantee political pluralism and democratic institutions, based on a set of rules accepted by the majority of the population and observed both by the government and the opposition;
  5. Calls for closer cooperation between the Commission, the European Parliament and the ACP Group in the field of election observation, election assistance and post-electoral institutional capacity building;
  6. Is convinced that it is necessary to have a joint structure at ACP-EU level in order to assess the fairness of any election;
  7. Calls for a set of common ACP-EU criteria for election observation missions and the training of observers in order to ensure consistency;

8. Believes that democratic system building is an efficient form of conflict prevention;
9. Welcomes the fact that the ACP Governments are increasingly inviting the Joint Assembly to send delegations to observe the preparation and conduct of elections and the vote-counting process;
10. Considers it necessary to accept invitations from ACP countries to observe presidential and parliamentary elections and, in addition, to take part with evenly constituted ACP-EU delegations in all election observation missions undertaken by the Commission in ACP countries;
11. Calls on the European Parliament to review its criteria governing the sending of electoral observation missions to the ACP countries, in order to ensure that such missions are always authorized in the case of controversial elections;
12. Affirms that it is in the interest of the EU and its ACP partners to project a visible identity in election observation and assistance and in post-electoral institutional capacity building;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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**RESOLUTION<sup>(1)</sup>****on the WTO millennium round of negotiations with special reference to ACP rum**

*The ACP-EU Joint Assembly,*

— meeting in Strasbourg (France) from 29 March to 1 April 1999,

- A. recalling the Marrakesh agreement establishing the World Trade Organisation, in particular the preamble in which the parties to the agreement recognised, inter alia, that their relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living etc. in accordance with the objective of sustainable development, while seeking to protect and preserve the environment,
- B. recalling also that the parties agreed that there was need for positive efforts designed to ensure that developing countries, and especially the least developed among them, secure a share in growth in international trade commensurate with the needs of their economic development,
- C. concerned that under the forthcoming review it is likely that there will be amendments to various WTO Agreements which could have an impact on preferential trading,
- D. reaffirming its resolution on rum adopted during the 26<sup>th</sup> Session held in Port Louis (Mauritius) from the 20 to 23 April 1998,
- E. recalling the resolution on rum adopted by 68<sup>th</sup> Session of the ACP Council of Ministers held in Brussels (Belgium) from 28 to 29 September 1998,
- F. recalling the trade objective of the Lome IV Convention of promoting trade between the ACP and the Community and considering the provisions of Protocol No 6 for the duty free entry of ACP rum to the EU market was designed to ensure that developing ACP countries secure a share of the rum market commensurate with the needs of their economic development,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

- G. considering the importance of the rum trade with the EU to the economies of the ACP rum producing States and the contribution of the rum industry to foreign exchange earnings, employment and hence to the socio-economic development and political stability of the States concerned,
- H. considering that the white spirits agreement initiated during the first WTO Ministerial Conference and the subsequent EU/US Memorandum of Understanding of March 1997 for the elimination of duties on certain spirituous beverages eroded the ACP preferences in rum trade and exposed them to competition from third country suppliers, over 80 % of which are subsidised,
- I. noting however the EU Declaration of 24 March 1997 to the effect that the EU/US Memorandum of Understanding will not change in anyway the terms of access enjoyed by ACP rum exports to the Community market in the framework of the Lomé Convention, and do not prejudice the future of the regime after the Convention expires in 2000,
- J. noting that the ACP have intensified their promotion campaign to develop a market for the higher quality branded rums and would require the continuation of the current Lomé IV preferences for an extended period, so as to enable them to compete in a tariff free market with rums from other regions,
- K. considering that as a result of the March 1997 EU/US Memorandum of Understanding which exposed ACP rums to increased competition from subsidised brands on their traditional markets, it is imperative that corrective action be taken prior to February 2000 if ACP rum industries are to survive,
1. Calls on the Community and its Member States to:
    - (i) fully honour their commitments under Protocol 6 on Rum in the Fourth Lomé Convention, including the commitment under the mid-term review, and extend the preferences beyond 2000 to permit the ACP to develop their traditional trade flows with the EU to its full potential;
    - (ii) ensure that the interest of ACP rum producers are fully defended in the forthcoming review of the WTO Agreements;
    - (iii) ensure that, as stated in the Declaration of 24 March 1997 given in the context of the EU/US Memorandum of Understanding, the terms of access for ACP rum exports are not adversely affected and their competitive position in the market is maintained;
    - (iv) index for inflation the pricing mechanism of the EU/US Memorandum of Understanding retaining the tariffs on low-priced rum and EU duties on non-ACP rum, thereby safeguarding the ACP against competition from third country suppliers of subsidised brands;
    - (v) ensure that appropriate arrangements are made prior to the expiry of the Lomé IV Convention to ensure that ACP rums maintain their share of the EU market and their preferences are not further eroded;
    - (vi) ensure that the GATT compatible pricing mechanism, which retains tariffs on low-priced rum from non ACP countries, is maintained and not traded away in any future GATT/WTO rounds of tariff reductions;
    - (vii) maintain strict enforcement, without derogations, of EU rules limiting commercial use of the term 'rum' as described in Article 4 of Council Regulation (EC) No 1576/89;
  2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on the WTO millennium round of negotiations with special reference to ACP sugar**

*The ACP-EU Joint Assembly,*

— meeting in Strasbourg (France) from 29 March to 1 April 1999,

- A. recalling the Marrakesh agreement establishing the World Trade Organisation, in particular the preamble in which the parties to the agreement recognised, *inter alia*, that their relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living etc. in accordance with the objective of sustainable development while seeking to protect and preserve the environment,
  - B. recalling also that the parties agreed that there was need for positive efforts designed to ensure that developing countries, and especially the least developed among them, secure a share in growth in international trade commensurate with the needs of their economic development,
  - C. considering that under the forthcoming review it is likely that there will be amendments to the Agreement on Agriculture and the Agreement on Subsidies and Countervailing Measures which could have an impact on the preferential trading sugar,
  - D. reaffirming its resolution on sugar adopted during the 26th Session held in Port Louis (Mauritius) from 20 to 23 April 1998,
  - E. recalling the resolution on sugar adopted at 68th Session of the ACP Council of Ministers held in Brussels (Belgium) from 28 to 29 September 1998,
  - F. considering that the ACP Sugar Protocol is an integral part of the EU regime and the ACP quantities are bound in the EU's WTO commitments,
  - G. noting that the ACP sugar producing States, with few exceptions, are net food importing, developing, least-developed, land-locked or island states with peculiar economic and social difficulties which rely on sugar revenue for their socio-economic development,
  - H. noting also that ACP countries have been using the earnings from exports to the EU in their rationalisation programmes to improve efficiency, increase productivity, optimise the use of by-products and generally enhance their level of competitiveness,
  - I. recognising the multi-functional nature of the sugar industry to ACP supplying States, its role as a foreign exchange earner and major employer and its contribution to environmental protection and rural development,
  - J. reaffirming that the ACP supplying States are committed to the rationalisation of their industries to become globally competitive, but recognise that there is a need to ensure that the peculiar situation of developing countries is taken fully into account in the globalisation process,
- 1. Calls on the European Union to:
    - (i) to ensure that the guarantees enshrined in the ACP/EU Protocol on Sugar are not adversely affected by the millennium round of negotiations;
    - (ii) ensure that the WTO commitment to secure a share in the growth of international trade for developing countries commensurate with the needs of their economic development is fully honoured, and that the guarantees of the Sugar Protocol are not eroded by unbridled trade liberalisation;
    - (iii) ensure that every effort is made to defend and maintain the preferential trading agreement and hence honour the commitment given to the ACP under the Sugar Protocol;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

- (iv) acknowledge the role of ACP sugar industry in the EU refining industry and recognise the mutual benefit to all parties concerned derived from the preferential trading under the Protocol and Special Preferential Sugar Agreement;
  - (v) recognise the efforts made by the ACP at rationalisation, as highlighted in the annual memorandum on economic factors, and ensure that the price offered for ACP sugar takes fully into account all relevant factors, and that it contributes positively to the viability of ACP industries;
  - (vi) acknowledge the multi-functional nature of ACP sugar industries, in particular their contribution to environmental protection, rural development, employment, foreign exchange earnings and the general socio-economic development in ACP supplying States;
2. Instructs its Co-President to forward this resolution to the ACP-EU Council and the Commission.

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### RESOLUTION<sup>(1)</sup>

#### on the WTO millennium round of negotiations

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to the Marrakech agreements,
  - having regard to the European Parliament's various resolutions on the functioning of the WTO,
  - having regard to the European Parliament's various resolutions on the trade disputes concerning the COM in bananas,
- A. bearing in mind that the benefits and costs of multi-lateral trade liberalisation under the Uruguay Round have been unevenly spread between industrialised and developing countries and that this imbalance needs to be redressed in favour of developing countries,
- B. recognising, in this connection, the special situation of small States, which by virtue of their small size, face severe constraints such as undue exposure to external factors and risks beyond their control, high volatility of terms of trade because of a narrow base of export products and limited possibilities for diversification,
- C. whereas the main aim of the World Trade Organisation must be to organise world trade in a balanced way which enables all parts of the world to develop harmoniously,
- D. considering this as an area for concern in the current EU/ACP negotiations on proposals for establishment of REPAs with the ACP countries,
- E. whereas the EU and the ACP countries have a shared conception of balanced development which respects the environment and certain social standards and objectives,
- F. whereas a new round of multilateral negotiations is set to begin in the forthcoming months,
- G. recognising that increased industrialisation in developing countries on the basis of the processing of agricultural products is hampered by the less efficient but well protected outputs from Europe,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

H. whereas there has been an increase in the number of trade disputes, particularly those relating to the trade preferences granted by the European Union to produce imported from ACP countries, between the European Union and the United States of America,

1. Formally requests the Council, the Commission, the governments of the Member States of the EU and the governments of the ACP states to make every effort to ensure that the 'millennium round' negotiations lead to the recognition by the WTO of the preferential agreements as development aid instruments;
2. Emphasises the need for special and differential treatment for small States, both in terms of access to concessionary finance and trade preferences, with due regard to their vulnerability and limited capacity to withstand external risks and threats;
3. Expresses its support — backed by most developing countries including the majority of the ACP States belonging to the WTO — for the preservation, strengthening and implementation of the WTO's existing S & D provisions, many of which have lacked enforcement due to their non-binding nature;
4. Calls for the extension of S & D provisions to allow for positive discrimination in favour of vulnerable single commodity-dependent economies through the establishment of an index to allow for the inclusion of small island states;
5. Recalls the commitment of the EU and the ACP states to the agreements entered into in the framework of the various Lomé Conventions;
6. Stresses that the agreements entered into by the EU in the framework of the WTO have no legal precedence over those it has entered into in the framework of the Lomé Convention;
7. Calls on the Commission and the Council to strengthen the aid and technical advice arrangements for the ACP states in order to enable them to participate fully in the forthcoming negotiations;
8. Requests a review of WTO mechanisms in order to enable the interests of developing countries and, in particular, the objective of combating poverty, to be taken into greater consideration;
9. Calls on all WTO Members to ensure that the agenda for new multilateral negotiations to be agreed at the Third WTO Ministerial meeting (end of 1999) clearly reflects the ultimate objective of the negotiations: sustainable development to the benefit of all;
10. Supports proposals to convert special and differentiated treatment provisions into obligations with a legally binding nature, which will help to ensure that panel rulings take better account of social and economic repercussions in developing countries;
11. Calls for the precise and unique circumstances of each protocol sector to be taken into account and that the protocols be tailored, on a case-by-case basis, to the requirements of each sector, with regard to the review of the Lomé Convention's protocols;
12. Recalls also that the process which has led to the current level of development in many European countries involved periods of relative protection and that the countries which are currently developing must be able to benefit, where necessary, from special treatment;
13. Calls on the future ACP and European negotiators to draw up a common strategy in order to promote the recognition by the WTO of the legitimacy of the health, environmental and social norms which it tends to regard as obstacles to world trade;
14. Deplores the unilateral approach currently being taken by the United States of America in the management of trade disputes and calls on the WTO to strengthen the sanction mechanisms that apply to countries which make use of such measures;
15. Deplores, in particular, the American attitude in the dispute over the COM in bananas;
16. Instructs its Co-Presidents to forward this resolution to the Commission, the ACP-EU Council of Ministers and the Director-General of the WTO.



**RESOLUTION<sup>(1)</sup>****on the WTO millennium round of negotiations with special reference to ACP bananas**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
- recalling its previous resolutions on bananas, particularly the resolution adopted at the 26th Session, held in Port Louis (Mauritius) from 20 to 23 April 1998,
- recalling the resolution on bananas adopted at the 68th Session of the ACP Council of Ministers, held in Brussels (Belgium) from 28 to 29 September 1998,
- A. recalling the Marrakesh agreement establishing the World Trade Organisation, in particular the preamble in which the parties to the agreement recognised, *inter alia*, that their relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living etc. in accordance with the objective of sustainable development, while seeking to protect and preserve the environment,
- B. recalling also that the parties agreed that there was a need for positive efforts designed to ensure that developing countries, and especially the least developed among them, secured a share in growth in international trade commensurate with the needs of their economic development,
- C. whereas under the forthcoming review it is likely that there will be amendments to the Agreement on Agriculture and the Agreement on Subsidies and Countervailing Measures which could have an impact on preferential trading in bananas,
- D. whereas the Lomé Convention was granted a waiver in the WTO and that the Banana Protocol is a legal agreement under that international convention,
- E. noting that the ACP banana-producing States are net food importing, developing, least-developed, landlocked or island states with particular economic and social difficulties, which rely on revenue from banana exports for their socio-economic development,
- F. noting also that the parties to the WTO agreement, including the US, while committing themselves to trade liberalisation, have also agreed to address the special needs of developing countries, and, in this regard, subscribed to the principle of special and differential treatment,
- G. recalling the EU's commitment under the Lomé IV Convention to safeguarding access for the ACP banana producers their traditional markets and to improving the conditions under which ACP fruit is produced and marketed,
- H. whereas the EU banana regime enacted by Regulation (EC) No 404/93 was intended to ensure that the EU's commitment to the ACP banana-producing States and EU banana-producing regions was honoured under the Common Organisation of the Market (COM) in bananas and to facilitate restructuring of the industries to increase efficiency,
- I. whereas, following a decision by the WTO, the European Union amended its COM in the banana sector in order to comply with the recommendations made by the dispute settlement body, which declared certain aspects of the Community import regime to be incompatible with the rules of international trade,
- J. whereas, immediately following the announcement of the new Community regime (which came into force on 1 January 1999), the USA argued that the regime did not comply with WTO rules and declared its intention to impose sanctions on the European Union unilaterally,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

- K. whereas the USA is not itself a banana producer and whereas its only interests are through the multinationals which dominate the sector (Chiquita, Dole and Del Monte),
- L. whereas a WTO panel is responsible for ruling on the validity of the new European banana import regime and on the legality of the sanctions announced by the US Government,
- M. strongly condemning the US decision to impose, without waiting for the verdict of the panel, unilateral sanctions on the European Union which are unlawful, economically unjustified and politically unacceptable,
- N. whereas the pursuit of the unilateralist approach adopted by the USA would weaken the international trading system and seriously jeopardise the prospects for the next round of trade negotiations (the Millennium Round), which is due to begin next November in Seattle,
1. Expresses the greatest concern regarding the situation of ACP and European banana producers and, more generally, regarding the future of the sector;
  2. Calls on the Council of the European Union to:
    - i. continue, whatever the outcome of the WTO panel, to honour its commitment to the ACP and the European producers by guaranteeing that the advantages in, and access to, EU market for ACP and European bananas are maintained;
    - ii. extend this commitment beyond the current regime to provide adequate time for the States and regions concerned to restructure their economies and adapt to changing circumstances;
    - iii. ensure that the preferences granted to the ACP countries under the Lomé Convention are not further eroded by any review of the multilateral trading agreements;
    - iv. strongly resist at the highest level the illegal action being taken by the US to force the dismantling of the banana regime and ensure that the international community is fully aware of the implications of such action;
    - v. not to withdraw its complaint, irrespective of the outcome of the current dispute, so that it can be formally established that US law does not comply with the rules of the international trade system to which the USA has subscribed and, retrospectively, that the sanctions adopted on the basis of that law are illegal;
    - vi. urge the US to honour its commitment in the WTO and return to the established multilateral procedures for resolving the dispute;
    - vii. ensure that adequate resources are provided under a technical and financial assistance programme to facilitate the restructuring of ACP industries;
  3. Urges the Commission and the Council to approach the Millennium Round with the firm intention of securing recognition for the Union's right to honour the commitments which it has made in connection with Community preference and ACP preference;
  4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the WTO Director-General, the US Congress and the US Government.

**RESOLUTION<sup>(1)</sup>****on the WTO millennium round of negotiations**

*The ACP-EU Joint Assembly,*

— meeting in Strasbourg (France) from 29 March to 1 April 1999,

- A. having regard to its resolution on biotechnology (ACP-EU 2613/98/fin.) of May 1998,
- B. having regard to the GATT agreement on Trade-Related Aspects of Intellectual Property (TRIP), the ongoing negotiations for revising Article 27.3b and the proposals for a new 'Millennium' comprehensive round of trade negotiations,
- C. having regard to the Convention on Biological Diversity (CBD), which recognises in Article 15 the sovereign rights of States over their own natural resources, stipulates in Article 15.5 that access to genetic resources must be subject to prior informed consent of the party providing the resources, and requires in Article 15.7 fair and equitable participation in the benefits derived from the utilisation of the genetic resources,
- D. having regard to the EU Directive on the legal protection of biotechnological inventions (98/44/EC), and the legal challenges posed by the government of The Netherlands,
- E. having regard to Article 130v of the Treaty of the European Union on coherence of policies, which states that the Community shall take account of the development objectives in the policies that it implements which are likely to affect developing countries,
- F. having regard to the Lomé IVa Convention and its general policy objectives in terms of poverty eradication and sustainable development in general, and rural and agricultural development and food security in particular,
  1. Recalls its ethical and development objections against patenting of plants and animals; and stresses its fear for long term negative impact on agricultural development and food security; deplores the development of sterile varieties by genetic manipulation ('terminator technology');
  2. Considers that the integration of developing countries in world trade should be coupled with empowering them to participate in WTO decision-making procedures and to take advantage of dispute settlement mechanisms; calls therefore on European and ACP partners to work together on the creation of a legal aid centre independent of WTO and tailored to supporting developing countries in WTO procedures and mechanisms;
  3. Therefore confirms that states should be free to make an exception for life forms in patent law;
  4. Therefore also confirms sovereignty of the ACP states concerning access to, and utilisation of genetic resources;
  5. Reconfirms the need for the new Lomé Convention to include provisions relating to the principles of Article 8(j) of the CBD concerning the preservation of knowledge, innovation and the practices of indigenous and local communities and their intellectual and cultural property rights, including approval, involvement and the equitable sharing of benefits of any use of such resources;
  6. Calls on the EU and ACP states to stand firm in maintaining sui generis options which allow countries to develop alternative legislation to regulate biotechnology, intellectual property rights and related issues, to counterbalance biopiracy, and to strengthen the rights of local communities;
  7. Calls on the European Commission and the EU Member States in particular to defend the sui generis options in article 27 3.b of the TRIPS agreement;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

8. Calls on the EU and its Member States to support ACP states to develop legislation tailored to their own situation and interests;
9. Calls on the EU and ACP states to initiate a political dialogue and capacity building mechanism on the negotiations over the TRIPs Agreement in the WTO to ensure that the food security concerns of the developing world are taken into account fully in international trade rules;
10. Requests the European Commission to inform the Assembly in its next meeting on the state of affairs in the negotiations on the TRIPs Agreement and the steps taken to support ACP states to participate in those negotiations and to develop appropriate legislation on intellectual property rights;
11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and to the secretariat of the CBD.

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### RESOLUTION<sup>(1)</sup>

#### **on the participation of civil society in the development process**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to the negotiating guidelines for a new ACP-EU Convention adopted by the Council of the European Union on 30 June 1998,
  - having regard to the ACP negotiating mandate adopted on 30 September 1998,
  - having regard to the results of the negotiations so far with a view to concluding a new partnership agreement, and particularly the conclusions of the ACP-EU ministerial conference in Dakar on 8 and 9 February 1999,
  - having regard to Council Regulation (EC) No 1658/98 of 17 July 1998 on co-financing operations with European non-governmental development organisations (NGOs) in fields of interest to the developing countries,
  - having regard to Council Regulation (EC) No 1659/98 of 17 July 1998 on decentralised cooperation,
  - having regard to Council Regulation (EC) No 2836/98 of 22 December 1998 on integrating gender issues in development cooperation,
  - having regard to the report on the Commission communication on the guidelines for the negotiation of new cooperation agreements with the ACP countries ('Rocard report'),
  - having regard to the communication from the Commission to the Council and the European Parliament (COM(98)667) on a European Community strategy for private sector development in ACP countries,
  - having regard to the opinion of the Economic and Social Committee on the Green Paper on the relations between the EU and ACP countries,
- A. whereas it is important that the participation of civil society should be boosted, especially looking ahead to the next Lomé Convention,
- B. whereas the participation of civil society in the dialogue on political guidelines and in cooperation projects is essential to the stability and prosperity of any country and constitutes a guarantee for the success and sustainability of such projects,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

- C. whereas in civil society, population groups form private, non-profit-making organisations, non-governmental organisations, foundations, associations or trade unions, which define themselves by their guiding principles and objectives, which are concerned with socio-economic issues, the public good or the community,
- D. whereas local authorities and NGOs are important as players in decentralised cooperation,
- E. whereas, in this connection, representatives of economic and social partners have a key role to play,
- F. whereas civil society draws its strength from communication and interaction and from the ability to form networks, and whereas an essential precondition for this is the establishment of democracy and the rule of law, particularly including freedom of expression and association,
- G. whereas, in order for development policy objectives to be attained, it is particularly important to build up structures which give the various parties concerned, such as local authorities, associations, non-governmental organisations, migrants' associations, private patrons and indeed enterprises, training establishments or non-governmental development organisations, the opportunity to make an effective contribution through their commitment,
- H. whereas women have taken on a role both in the development process and in organising the interests of civil society,
- I. whereas civil society must also be strengthened in big cities, where there are large-scale problems with drugs and social exclusion,
- J. whereas civil society may be the key to the organisation of labour and of the system of education and to the strengthening of cultural identity and social equilibrium,
- K. whereas there is a need for a coordinated strategy which is tailored to the needs of the societies and cultures of the ACP States and enables more people to benefit from sharing economic, social and cultural resources,
- L. drawing attention to the importance of disaster prevention and preparedness, as emphasised by the UN international decade,
- M. whereas, since the first Lomé Convention was concluded in 1975, there has been a spectacular increase in the number of natural and man-made disasters, with five times as many people as before now being affected by major crises,
- N. whereas disaster prevention and preparedness are not specifically included among the objectives and priorities laid down in the Lomé IV Convention,
1. Stresses that any development process must be based on full participation by civil society in the taking of decisions and the management of cooperation;
  2. Endorses the decision to make the political dimension of the ACP-EU partnership a priority in the negotiations on the new ACP-EU partnership agreement, a dimension characterised by respect for human rights and the fundamental principles of democracy, the rule of law and good governance;
  3. Calls on the ACP-EU Council and the Commission to encourage civil society organisations and those active in the social and economic spheres by strengthening socio-economic institutions, the freedom of the press and the independence of the media;
  4. Welcomes the activities of the European Union in the field of decentralised cooperation and stresses in this context that decentralised cooperation should be assigned higher priority as one of the premises of cooperation in the future ACP-EU agreement;
  5. Considers that the specific and at the same time complementary roles of the State, decentralised public administration, the private sector and all the numerous components of society and civil society are indispensable to the development process and to the creation of a stable and politically democratic society;

6. Welcomes and encourages the activities of the European Economic and Social Committee in organising the dialogue between civil society organisations of the ACP and EU countries;
7. Calls for the future Lomé Convention to give an appropriate place to local authorities and NGOs as bodies which play a leading role in civil society as regards implementation of decentralised cooperation;
8. Wishes to see an independent arbitration body set up, the task of which would be to enable any beneficiary of a Lomé Convention development project which is experiencing difficulties or which considers itself to have suffered as a result of the implementation of the programmes to have its case heard and to lodge an appeal;
9. Considers it essential that parties involved in the economy, social affairs and civil society at national, local or regional level organise themselves, and calls on the governments of the ACP countries, therefore, to create the necessary regulatory conditions to promote private initiative and facilitate the establishment of a wide variety of associations;
10. Takes the view that the Commission and the governments of the EU Member States and the ACP States must do all they can to facilitate direct links between those active in civil society, North and South;
11. Notes that particular support must be provided for the purpose of creating links amongst associations and NGOs in ACP States and developing forms of direct cooperation between them;
12. Calls on the ACP Governments, in accordance with the principles of democracy and the rule of law, to create the preconditions to enable citizens to participate in all aspects of society, in order to be able to defend their own interests, and to participate in general decision-making and the administration of public funds, and in particular to facilitate and promote participation by women on an equal footing in all social processes;
13. Reaffirms that all sections of society, and particularly representatives of civil society, must have access to free and independent media;
14. Considers that, in the context of urban development, priority must be given to grassroots urban economic activity, aid for training and the marketing of products;
15. Recalls the importance of fair trade, which is genuine North-South cooperation between citizens, and calls for measures to promote such trade to be included amongst the aims of the next Lomé Convention and for the Commission to introduce a policy to support fair trade on the basis of the recommendations adopted by the European Parliament;
16. Stresses that the ACP countries should assign priority to the development of human resources, which are the basis for enhanced dialogue between the government, economic and social representatives and other civil-society organisations, and draws attention, therefore, to the need to make it possible for all girls and boys to receive primary schooling and the need to carry out adult literacy campaigns and in addition to reinforce education programmes, particularly including citizenship elements;
17. Urges all the bodies involved in the negotiations on the renewal of the Lomé Convention to acknowledge that disaster prevention and preparedness form an integral part of sustainable development;
18. Calls for the new Lomé Convention to make provision for disaster prevention and preparedness strategies involving representatives of civil society and NGOs in the ACP regions most exposed to major risks;
19. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on the significance of small and medium-sized enterprises for sustainable development in the ACP countries**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to its previous resolutions on economic, social, industrial and sustainable development, the significance of microloans, the role of women in the economy and the importance of the private sector,
  - having regard to the Fourth Lomé Convention as amended on 4 November 1997 in Mauritius,
  - having regard to the negotiating guidelines for a new ACP-EU Convention adopted by the Council of the European Union on 30 June 1998 and to the ACP negotiating mandate adopted on 30 September 1998,
  - having regard to the results to date of the negotiations on a new partnership agreement, particularly the conclusions of the ACP-EU ministerial conference in Dakar on 8 and 9 February 1999,
  - having regard to the communication from the Commission to the Council and the European Parliament (COM(1998)667) on a 'European Community strategy for private sector development in ACP countries',
  - having regard to the communication from the Commission to the Council and the European Parliament (COM(1998)527) on 'microfinance and poverty reduction',
  - having regard to Council Regulation (EC) No 1658/98 of 17 July 1998 on co-financing operations with European non-governmental development organisation (NGOs) in fields of interest to the developing countries,
  - having regard to Council Regulation (EC) No 2836/98 of 22 December 1998 on integrating gender issues in development cooperation,
  - having regard to the study of small and medium-sized enterprises, technology and development, a working document for the STOA Panel of the European Parliament, PE 167.795 (Draft Final Study), February 1999,
- A. whereas two of the main challenges to be taken up under the next ACP-EU Convention are the smooth integration of the ACP countries into the world economy and the integration of poor people into the social and economic life of their country,
- B. whereas, in this connection, the private sector has a decisive role to play as a driving force behind growth, social and economic development and the fight against poverty in the ACP countries,
- C. whereas the creation of a stable political, institutional, economic and legal environment is a necessary (though not a sufficient) condition for the development of SMEs and micro-enterprises, which are subject to constraints of their own,
- D. whereas, while using little capital, SMEs contribute substantially to job creation,
- E. whereas SMEs are an important source of technological innovation and adaptation of technologies to the local situation and play a particularly significant role in training staff,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).



- F. having regard to the objectives of development cooperation under the Fourth Lomé Convention, through the numerous national and regional indicative programmes, as regards promoting the private sector:
- to create jobs by promoting SMEs,
  - to combat poverty in the informal sector by supporting microenterprises and
  - to increase exports by promoting trade,
- G. whereas, in the ACP countries, the private sector is dominated by small and medium-sized enterprises (SMEs) and micro-enterprises (merchants, traders, craftsmen, etc.),
- H. whereas small-scale and micro-enterprises (often family-based) employ almost 80% of the labour force in the ACP countries and represent, for the most disadvantaged sections of society and for women in particular, a means of acquiring an income and social status,
- I. whereas, in comparison with large enterprises, SMEs possess far greater potential for wider geographical supply, facilitating more balanced economic and industrial development,
- J. whereas small and micro enterprises have lower initial costs and hence lower administrative costs, which makes it easier for people to set up enterprises who would otherwise be excluded from economic development, such as women and those without property,
- K. whereas securing access to credit from major commercial banks is one of the biggest obstacles to the setting up and subsequent development of micro-enterprises in the informal sector and also (to a significant extent) to the development of SMEs,
- L. whereas the STOA Panel study of small and medium-sized enterprises, technology and development found that support for SMEs is still defective, mainly because of excessively complicated administrative procedures, difficulties with local intermediaries, lack of information, inadequate transparency and politicisation of fund allocation, poor coordination between EU programmes and those of national and international agencies promoting SMEs, inadequate utilisation of local expertise and inadequate coordination between technical and economic development projects,
1. Emphasises the fact that SMEs and micro-enterprises represent the most substantial source of employment in the economies of the ACP countries and that they make a decisive contribution to the poverty alleviation strategies implemented in those countries;
  2. Considers it essential, therefore, for appropriate conditions to be created in order to encourage private initiative (including small-scale private initiative) and to promote the emergence of a dense, dynamic fabric of active SMEs and micro-enterprises which generate jobs and income, including for the poorest people and for women;
  3. Welcomes therefore the fact that the negotiations on a new ACP-EU partnership agreement indicate that the central role of the private sector and the significant role played by small and medium-sized enterprises in the development process are now fully acknowledged;
  4. Welcomes the Commission's decision to draw up a comprehensive strategy for EU funding of measures to develop the private sector in ACP countries, which is intended to apply not only to programmes relating specifically to the private sector but to all EDF-financed measures which involve the private sector;
  5. Stresses the need, by means of financial cooperation between the ACP and EU, to provide operators in the informal economy and small and medium-sized enterprises with the requisite resources and, in so doing, to assign priority to granting small and micro loans to the poor;
  6. Calls in particular on the Union to introduce means of supporting the creation and development of micro-financing institutions in the ACP countries in association with the formal banking sector in order to provide a smooth transition when businesses' financial requirements grow;

7. Calls on the Governments of the ACP countries, at political level, to create the right conditions for democracy, good governance, respect for human rights and the rule of law, in order to increase the trustworthiness of State institutions, guarantee social stability and foster a climate favourable to investment;
8. Calls on the ACP countries to create a macroeconomic and regulatory framework which makes possible competitive, open and integrated markets for goods, services, labour and capital and thereby promotes the operations of SMEs and the confidence of foreign businesses in the stability of the local situation;
9. Considers that the European Union should provide greater support for the efforts made by the ACP countries to create conditions which are favourable to investment and do not harm the environment or infringe social rights, particularly as regards child labour and health and safety in the workplace;
10. Hopes that all the available instruments (in particular those of the EIB and the IDB), will be mobilised in order to encourage investment and partnerships between European SMEs and SMEs established in the ACP countries, including in the form of joint ventures;
11. Recognises, in this connection, the need to support the establishment and the strengthening of the capacities of liaison bodies such as the ACP countries' chambers of commerce or trade associations, so as to enable projects to be identified and information to be disseminated among businesses;
12. Welcomes the creation of the Association of the ACP National Chambers of Commerce, Industry and Other Economic Operators and considers it essential that this initiative should be supported in order to make a meaningful contribution to ACP-EU development cooperation and accelerate the full participation of the ACP private sector in the economic and social development of their countries;
13. Urges the Commission to allocate resources, as a matter of urgency, to the Association's Network Project, which includes the 'Business Initiative for Women' training component, and to report on the progress made in this endeavour at the next meeting of the ACP-EU Joint Assembly;
14. Stresses that in order for enterprise to flourish, a reliable and effective infrastructure is needed, including roads, telecommunications, electricity and water supplies;
15. Calls on the Governments of the ACP countries, by means of the education and training system and by providing social services in the fields of public health and security, to generate the necessary human resources which are the basic precondition for the supply of skilled labour and which are among the most important considerations in business location decisions;
16. Stresses once again in this connection that special importance must be attached to the role of the State in ensuring equal access to primary education for boys and girls and thus improving the status and opportunities of women;
17. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the EIB, the IDB, the Economic and Social Committee and the Association of National Chambers of Commerce and Industry of the ACP countries.

**RESOLUTION<sup>(1)</sup>****on the cultural dimension in development cooperation, including matters relating to heritage and tourism**

*The ACP-EU Joint Assembly,*

- meeting in Strasbourg (France) from 29 March to 1 April 1999,
  - having regard to the communication from the Commission to the Council and the European Parliament (COM(1998)563) on a European Community strategy to support the development of sustainable tourism in the developing countries,
  - having regard to the communication from the Commission to the Council and the European Parliament (COM(1998)667) on a European Community strategy for private sector development in ACP countries,
  - having regard to Council Regulation No 2836/98 of 22 December 1998 on integrating gender issues in development cooperation,
  - having regard to the resolutions of the ACP-EU Joint Assembly on education and training,
  - having regard to the resolutions of the ACP-EU Joint Assembly on rural and urban sustainable development,
  - having regard to the resolutions of the ACP-EU Joint Assembly on conflict prevention,
  - having regard to the report 'Our Creative Diversity' of the World Commission of Culture and Development, drawn up for the UN and UNESCO, published in November 1995 and forwarded to the UN in autumn 1996,
  - having regard to the UNESCO Action Plan adopted at the Intergovernmental Conference on 'Cultural policy for development' which was held in Stockholm from 30 March to 2 April 1998,
- A. whereas cultural cooperation is one of the principal means of promoting mutual understanding amongst the people of Africa, the Caribbean, the Pacific and Europe and of promoting a better knowledge of the civilisations of the various countries,
- B. whereas cultural measures are of particular significance for sustainable local, regional and national development and whereas, particularly in local development projects, culture and cultural projects promote progressive socio-economic development,
- C. whereas cultural goods must be preserved, as they are of enormous historical, artistic, educational, social and economic value, which is normally closely associated with the reputation of a region for purposes of tourism, because a well-preserved cultural heritage of high quality is attractive to visitors, tourists and investors,
- D. whereas respect for cultural identities and tolerance for cultural and other differences in a context of plural democratic values are among the preconditions for lasting and just peace,
- E. whereas the living cultivation of cultural traditions and activities can enhance the self-respect and self-confidence of the people, and whereas active participation by the people in cultural activities can contribute to conflict prevention,
- F. whereas an increasing number of people are travelling to ACP destinations, which represents a major opportunity for the cultural and economic enrichment of the peoples of Africa, the Caribbean, the Pacific and Europe,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

G. whereas the next ACP-EU Convention must facilitate cultural and tourist exchanges between the signatory countries,

1. Considers that the cultural dimension should be assigned a significantly higher priority as one of the main components of comprehensive and sustainable development cooperation in coordination with other fields of ACP cooperation policy;

2. Calls on the Commission and Member States to support the ACP countries in their efforts to promote environmentally and socially sustainable tourism and to preserve and cultivate the cultural heritage, which may comprise both non-material and material assets, and to incorporate this aspiration into the future convention with the ACP countries in an appropriate form and help minimise tampering with ACP artefacts;

3. Stresses the need to promote the creative potential of people by means of general regional and local cultural policies and to use it for local initiatives which reflect cultural diversity and if appropriate to give ethnic, religious or other minorities the necessary scope for their traditional cultural forms of expression and customs;

4. Considers that special attention should be devoted to the link between culture and education, that the development of artistic and creative talents should be assigned an appropriate place at all levels of education, and that instruction in the arts and in crafts should form part even of the primary education of girls and boys;

5. Proposes that exchange programmes between ACP and EU universities should be made a priority within the sphere of ACP-EU cooperation, in particular by means of twinning experiments between universities, in order, inter alia, to facilitate the mobility of ACP and EU students;

6. Observes that it is essential to involve the local population and local-community decision-makers directly in programmes to preserve the cultural heritage and promote tourism in order to achieve general acceptance and a readiness to identify with the measures and their history, and observes that participation by women on an equal footing ought in particular to be facilitated and promoted;

7. Considers that cooperation between governments, the private sector and civil-society organisations in the field of culture is essential, to which end an appropriate legal framework should be created;

8. Considers that promoting small and medium-sized enterprises in fields directly or indirectly associated with tourism, preserving the cultural heritage and organising cultural events, such as museums, memorials, hotels, restaurants, the operation of nature parks, travel agencies, trade or small business operations have a key role to play in creating jobs and generating economic activity;

9. Stresses the need to create opportunities to obtain training and instruction in the restoration and rehabilitation of the cultural and natural heritage, including passing on traditional methods and use of traditional materials;

10. Notes that preserving and reviving the 'classical' culture, such as singing, dance, painting, theatre and music, requires tuition in the disciplines concerned, which means that appropriate support needs to be provided for training in the performing arts;

11. Calls on the Commission, the Member States and the ACP countries, in accordance with general development objectives and priorities, to earmark an appropriate proportion of support funds for investment in the cultural sector and to promote environmentally and socially sustainable tourism;

12. Stresses the importance of research, compilation of inventories, registration and cataloguing of the cultural heritage, including oral traditions, and the need to protect buildings, cultural sites and landscapes as part of urban and rural development planning;

13. Firmly believes tourism to be one of the most important ways of enabling the peoples of the countries signatory to the ACP-EU Convention to get to know one another and hopes that, in the context of ACP-EU cultural cooperation, emphasis will be placed on supporting responsible tourism which is sustainable from the cultural and social points of view, particularly through the promotion of travel programmes designed to enable people to learn more about the cultural dimension of the ACP-EU countries;

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14. Stresses that it is important to ensure that culture and the environment are not endangered by tourism, and calls on the EU Member States, the ACP countries, the Commission and the EIB, particularly in countries where tourism is a major factor, to ensure that policy on culture and tourism is geared to fostering balanced and sustainable development by carrying out assessments, identifying fields of action and coordinating dialogue between the principal participants;

15. Calls on the ACP countries, in the field of regional integration and cooperation, to ascertain the scope for the participation of networks and for cofinancing of cultural initiatives and organisations;

16. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and UNESCO.

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#### RESOLUTION<sup>(1)</sup>

##### **on the contribution of research and science — including information technologies — to sustainable development**

*The ACP-EU Joint Assembly,*

— meeting in Strasbourg (France) from 29 March to 1 April 1999,

— having regard to the Rocard report on guidelines for renegotiating the Lomé Agreement,

— having regard to the Commission Communication entitled 'The Information Society and Development: the Role of the European Union',

- A. whereas cooperation policy and ACP-EU relations in all their forms should promote sustainable development in the ACP countries,
- B. whereas the successor agreement to Lomé IV must make an effective contribution to increasing equity within and between nations in order to reverse the growing marginalisation of the ACP countries,
- C. whereas research and scientific and technological innovation are decisive factors in economic dynamism, which is a precondition for the sustainable development of the developing countries, and whereas strengthening them can help to narrow the gap between the developing and the industrialised countries by optimising the human and material resources of the former in an appropriate manner,
- D. whereas the modern world is divided into technologically rich entities and technologically poor ones; whereas a number of ACP countries are virtually excluded from the major technological changes in the world, are unable to use modern technology and have no access to the rules and regulations of that technology,
- E. noting that the developing countries' lack of financial and human resources increases their dependence on the industrialised countries and stressing that the ultimate aim of all cooperation in the area of research should be to build up local research capacities able to work in liaison with the international scientific community,
- F. firmly believing that the promotion of research and technological development and access to technology are essential both for economic progress and for the smooth integration of the ACP countries into the world economy,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 1 April 1999 in Strasbourg (France).

- G. whereas research carried out in the developing countries — particularly in the ACP countries — should take account first and foremost of the specific constraints and development needs of those countries, and should be based in particular on the development of technologies directed towards the sustainable use of local resources,
- H. whereas it is essential to develop the use of first-line technologies based on the capacities and cultural resources of the population as well as on outside technological assistance which is cheap and easily disseminated,
- I. whereas the sustainable development of developing countries must also be based on mobilising and optimising human resources, and whereas education and training stimulate the development of research capacities,
- J. having regard to the immense possibilities for communication and knowledge offered by the information society, as well as the opportunities it provides in terms of gaining economic independence and of development, and conscious of the considerable benefits the ACP countries could derive from its development,
- K. whereas information technology determines a country's opportunity and ability to generate wealth, power and knowledge and its ability to compete internationally in either the manufacturing or the services sector,
- L. whereas the European Union, in the framework of the future EU-ACP partnership agreement, must give increased support to scientific research and technological development, and whereas this assistance should consist, *inter alia*, of financial transfers aimed at independent research capacity building, transfer of appropriate technology, exchanges and the linking of scientific and technological know-how and experience to priority needs,
1. Stresses that it is strategically important for the ACP countries to be able to take part in, and have access to, scientific and technical progress and calls on the EU to demonstrate greater solidarity vis-à-vis its ACP partners in that area so that their social, economic and cultural development can be stimulated;
2. Takes the view that future cooperation with the European Union in the area of scientific and technological research must take the form of helping to strengthen and to build endogenous research capacity which will meet in a local and very concrete way the challenges encountered by the ACP countries and allow priorities to be established which meet the real development needs of the societies in question;
3. Calls on the European Union to provide, under the next ACP-EU agreement, direct aid for technology transfer so as to boost job creation, training and efficient government administration of the state, and to provide technical assistance to the governments of the ACP countries in order to enable technology transfer and skills training to be incorporated into contracts with international companies;
4. Takes the view that the EU must also help the ACP countries to define their information and communications needs and on this basis to develop policies appropriate to their own development objectives, which should always be guided by the wish to promote access to information for the greatest possible number of people and equal opportunities for all citizens, and which should allow the benefits of the global information society to be fairly distributed between North and South;
5. Calls on the European Union and the ACP countries to cooperate within the WTO in order to seek a revision of trade-related property rights (TRIPS) and to reduce the impact of increased technology costs by means of an extensive protection of patents, particularly in the developing countries;
6. Stresses the need to optimise traditional knowledge and local resources, which are likely to provide very practical solutions to specific local needs and to offer genuine sources of innovation for research worldwide;
7. Takes the view that stress must be laid on first-line technologies which enable countries to emerge from poverty and to begin a cumulative process of sustainable wealth production and which include the areas of health and hygiene, water, and waste processing and recycling;

8. Considers it necessary to set up a European foundation for the assistance and long-term support of research laboratories in the developing countries with a view to improving knowledge of the environment, resources and societies of these countries;
  9. Takes the view that while the brain drain can be used to set up networks of expatriate scientists, assistance should also be given to research scientists who wish to remain in, or return to, their countries of origin;
  10. Stresses the importance and the urgency of working for the development of a universal information society in which the developing countries would play a full part;
  11. Calls for a strategy to be defined which takes the information society aspect into account in the analysis of cooperation projects and programmes, so that cooperation instruments can be organised in a more consistent and effective fashion;
  12. Recalls that access to information sources, including international networks such as the Internet, is a precondition for information exchange, and hence for the effectiveness of any strategy to promote research;
  13. Considers that, in addition to technology improvement, efforts must be made to develop the ACP countries' human resources by promoting access to education and training, particularly in the fields of telecommunications and data processing;
  14. Recalls that serious efforts must be made to coordinate the various Community, national and international instruments; calls on the Commission, in addition, to ensure that there is maximum flexibility of financial instruments for cooperation with its ACP partners in the areas of scientific and technological research;
  15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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**RESOLUTION<sup>(1)</sup>****on the fight against poverty in the ACP countries and in the European Union**

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 to 14 October 1999,
- having regard to the report on the fight against poverty in the ACP countries and in the European Union (ACP-EU 2770/99),
- having regard to the reports and declarations by various international organisations (UNDP, OECD, ILO, World Bank, IMF, G7, WTO), and in particular:
  - the 1997 United Nations report on human rights and extreme poverty,
  - the UNDP reports on poverty (1998) and human development (1997 and 1998),
  - the World Bank reports (1998 and 1999), and
- report no. 30/1998 by the DAC (Development Assistance Committee) of the OECD on European Community development cooperation,
- having regard to the Final Declaration adopted at the UN's Cairo Conference on Population and Development,
- mindful of the 1979 report entitled 'North-South: a programme for survival' by the independent commission on international development problems, chaired by Willy Brandt,
- having regard to the 1997 White Paper on international development entitled 'Eliminating World Poverty: A Challenge for the 21<sup>st</sup> Century', presented to the British Parliament by the Minister for Overseas Development,
- having regard to the 1996 DAC-OECD strategy document entitled 'Shaping the 21<sup>st</sup> century: the contribution of development cooperation',
- having regard to the recent reports by the European Court of Auditors, and in particular to the remarks on the European Development Fund,
- having regard to the Council of the Union resolution of December 1993 on the fight against poverty, paragraph 8 of which states that the fight against poverty must occupy a central place within development cooperation policies and programmes,
- having regard to Articles 136 and 137 of the Treaty on European Union (Social Provisions),
- having regard to Articles 177 (Development Cooperation), 178 (Coherence) and 180 (Cooperation) of the Treaty on European Union,
- having regard to the document by Parliament's STOA panel entitled 'Evaluation of agricultural and other technologies fighting against hunger and poverty',
- having regard to the contributions by the experts invited to the public hearing of 17 March 1999 organised by the European Parliament on combating poverty in the countries of the Lomé Convention,
- having regard to the contributions submitted through the embassies of the ACP countries and the Permanent Representations of the Member States of the European Union,
- mindful of the guidelines for negotiations on the renewal of the Lomé Convention, which give absolute priority to eradicating poverty,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

- A. mindful of the declarations issued at world summits held over the past decade, at which poverty and the eradication of the same have been the focus of attention, and in particular the Rio, Cairo and Copenhagen summits, which signalled a new departure in that they took into account the economic, social, environmental, demographic and political aspects of development,
- B. highlighting the four basic principles established at those world summits, namely sustainability, empowerment, participation and equality,
- C. whereas the ten commitments contained in the Copenhagen Declaration on Social Development reveal a broad consensus on the social dimension of development and identify poverty, unemployment and exclusion as the three major social problems affecting the human race at the end of the current century,
- D. mindful of the fact that at the World Summit for Social Development the heads of state and representatives of 186 countries defined the eradication of extreme poverty as 'an ethical, social, political and economic imperative of humankind',
- E. drawing attention to the commitments made by the participants at the World Summit for Social Development to set targets and to formulate plans and programmes, together with the ambitious objective established by OECD members to halve, between 1993 and 2015, the number of people living in extreme poverty,
- F. whereas the obstacles faced by some ACP countries in overcoming poverty stem, *inter alia*, from:
  - internal factors, namely: the lack of access to basic social services (education, housing and health care above all); hunger; a deteriorating environment (diminishing resources, biodiversity, climate change); inequality between the sexes; the absence of democracy and the rule of law (mechanisms to redistribute the fruits of growth, maladministration and the lack of control over own economic and human resources, corruption); and armed conflicts;
  - external factors, namely: the international climate (instability and uncertainty with regard to trends in demand, fluctuating rates of exchange and interest, varying availability of capital on financial markets); the agricultural product trade policies pursued by the industrialised nations; non-tariff barriers; the market in basic products; the heavy burden placed on development by foreign debt; the downward trend in foreign aid and the fact that, in many instances, foreign aid has failed to reduce poverty; the lack of sufficient political will in the countries of the North to promote development; and the absence of a democratic and social framework in the international economic system; and
  - historical factors, namely: the colonial past; slavery; the cold war; and their status as a battleground in the conflict between the superpowers,
- G. Stressing in particular the fact that the AIDS pandemic is not only a health problem but a major factor contributing to poverty and a broad development issue affecting practically all layers of society and severely threatening the economic and social development of whole generations and nations, especially in Africa,
- H. having regard to the close link between action to eradicate poverty and population growth control policies,
- I. whereas this is a period in which the large transnational companies are pushing States to deregulate, so as to be able to increase their profits, and governments are finding it extremely difficult to enforce sustainable domestic development strategies,
- J. whereas the factors which have undermined the capacity of developing countries to achieve autonomous development include those countries' dependence on northern countries, the collapse of purchasing power, the growth of the debt burden, the deterioration in trading conditions and subsidised exports from the EU,
- K. whereas the ACP countries possess a wealth of natural resources which, if exploited appropriately, would unquestionably alleviate the burden of poverty,
- L. whereas a reason for the lack of access to the goods and services which constitute a basic level of provision and which enable men and women to lead a decent life lies in the high cost of education, training, health care, drinking water, sewage systems, public transport, energy, telecommunications, etc. — services which nearly always cost as much as in the industrialised countries,

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- M. whereas relations between the industrialised nations and the developing world have been undergoing sizeable, and at times alarming, shifts in the era of globalisation,
- N. whereas steady population growth, stagnation in revenue from agricultural produce and a decline in natural resources have placed the developing countries in a delicate situation since the late 1980s,
- O. mindful of the long list of ACP nationals who perish in their attempts to flee to the developed countries to escape poverty; especially shocked by the recent news that two Guinean children had frozen to death in the undercarriage of an aircraft during their clandestine journey to 'wealthy and erudite Europe' to request aid for Africa,
- P. having regard to the comments made by the Secretary-General of the United Nations, who has stated that, were Africa to receive attention on a par with that afforded to Kosovo, many of its problems would be in the process of being solved,
- Q. whereas indebted countries are repaying to wealthy nations five times more than they receive in resources that they need for development; whereas since the era of slavery the ACP countries have contributed to economic development in other areas of the world with resources which have been used not for their own benefit but as cheap raw materials,
- R. whereas the Court of Auditors has expressed the view that the European Union's structural adjustment programmes have failed to pay due attention to the poorest groups and that expenditure on health and education has benefited urban populations whose economic circumstances are healthier,
- S. whereas consumption habits in the West by no means constitute a development model to be imitated; whereas the industrialised nations themselves should re-examine these habits if they intend to keep the Earth's resources intact; whereas this 'consumerist' model wrongly identifies poverty as a symptom of 'under-consumption',
- T. whereas small and micro-businesses are of major significance within the economies of the poorest countries since, of the developing countries' population in gainful employment, over 60 % of the worst paid work in that sector,
- U. whereas micro-businesses are often distinguished by their innovative nature but whereas they produce only a very low per capita income for want of capital, know-how, basic training, technology and financing, and whereas this low level of productivity can be regarded as a further main cause of poverty,
- V. convinced that the future for forthcoming generations in the wealthiest nations is inextricably linked to development in the Third World,
- W. convinced that the success of any future successor agreement to the Lomé Convention will depend on its placing human beings at the centre of development measures and ensuring that the poorest sectors of the population are the prime beneficiaries,
- X. whereas the world population has reached 6 billion,

**On the extent of poverty and international development cooperation**

1. Notes with dismay that, at present, more than 1,3 thousand million people are living in extreme poverty, and that whilst this represents a 3,5 % decline since 1987, the overall number of poor people in the world is growing and has increased by 75 million over the past decade;
2. Considers it scandalous that the richest 20 % of the world's population account for 85 % of global wealth, while the poorest 20 % account for only 1,4 %, and considers that a fair redistribution of wealth should form part of action to combat poverty;

3. Observes that inequality is a structural feature of our time, that unregulated globalisation has exacerbated inequalities amongst and within nations, and that the number of poor people has risen sharply as a result of the financial crisis in Asia, the knock-on effects of which have been felt in Russia and Latin America;
4. Declares that many African economies find themselves caught in the poverty trap, whereby in striving to free themselves from it they fall ever more deeply into poverty;
5. Takes the view, therefore, that the fight against poverty should be used as a lever for social and political change and also for growth and development;
6. Stresses that the fight against poverty does not merely entail cooperating with the poorest nations, since there are often extremely poor sectors of the population in relatively wealthy countries, including those in the European Union itself, which deserve to be targeted by policies geared towards stamping out extreme poverty;
7. Considers that poverty is caused by a wide range of factors, including excessively low or non-existent incomes for most people, the growing debt burden, structural adjustment programmes and the unbridled liberalisation of world trade, and that the structural causes of poverty should therefore be tackled, rather than the effects;
8. Considers that poverty constitutes a violation of human rights;
9. Affirms that, regardless of the economic conditions in a given country, the same approach to eradicating destitution or extreme poverty is required in all countries and should be based on a change both in the way in which destitution is perceived and in the scale of priorities;
10. Calls on the ACP states, in association with the European Union, to develop suitable strategies which will allow a re-think in the provision of basic services (education, training, health care, drinking water, sewage systems, public transport, energy, telecommunications, etc.), so as to enable those services to be made available, if possible, to all people at low cost;
11. Considers, therefore, that full support should be given to production and service-provision techniques which are tailored to local and regional conditions and that, at the same time, alternative technologies should be promoted at local level in the areas of health care, sewage systems, drinking water provision, housing construction and the energy and transport sector;
12. Adds its voice to the alarm expressed by the UN at the disturbing data pointing to a 24 % cut in the aid provided to the Third World by the 21 wealthiest and most developed nations since 1992, namely during a period in which the economy in the wealthy nations has enjoyed steady growth, with state aid for development from industrialised countries having bottomed out at 0,22 % of their combined GDP, far below the 0,7 % target advocated by the United Nations;
13. In particular calls on the European Union Council of Ministers to maintain and intensify efforts to target development assistance to the least developed countries; to maximise the overall volume available ; and to give priority to poverty eradication over commercial ties in determining development assistance at European Union and Member State levels;

#### **On social and human development**

14. Believes that the focus for development is the individual and that the aim should lie in broadening the range of opportunities of all human beings, thereby rendering development more equitable, democratic and inclusive;
15. Condemns the suggestion by Member States of the EU that resources from the Community budget intended for the poorest countries should be directed to the relief and rehabilitation taking place in Kosovo;
16. Subscribes to the concept which defines human poverty as the denial of the basic opportunities and prospects from which all human development stems, namely those of living a long, healthy and fulfilling life and of enjoying a decent standard of living, freedom, dignity, self-esteem and the respect of others;

17. Believes that human poverty comes about when a set of social, political and economic inequalities combine, one of the most acute inequalities being inequality of the sexes;

18. Takes the view that the worse discrimination against women is, the more widespread poverty will be; reaffirms that equality between the sexes must play a major role in strategies to combat poverty and, therefore, that strengthening the rights of women in many countries is an imperative requirement;

19. States emphatically that any prospective eradication of poverty depends on a fair redistribution of wealth and the elimination of inequality of the sexes at all levels and of discrimination against the elderly, who are especially at from poverty;

20. Considers that the fight against poverty amongst the elderly should be an independent component of strategies to combat poverty since poverty amongst such people is becoming a growing problem in many countries in which life expectancy is increasing;

21. Considers that population growth control policies have an essential role to play in action to eradicate poverty;

22. Stresses that education constitutes one of the main weapons in combating poverty; draws attention in this regard to the fact that international development aid donors, including the European Community and its Member States, have undertaken to increase the funds earmarked for education — and basic education in particular — in the developing world and to support educational reform;

23. Calls for the successor Convention to include an explicit reference to investment in quality, relevant education with the following text: Cooperation shall support ACP states' efforts to :

- (a) Guarantee the participation of a broad range of civil society organisations in education sector planning, monitoring and evaluation ;
- (b) Increase financial commitments to basic education, in line with the target adopted at the World Social Summit in 1995 of allocating 20 % of aid to basic social services. Increase support to non-formal education programmes, with a specific commitment to improving access to education for women and girls ;
- (c) Develop a coherent strategy for achieving the international commitment on universal primary education by 2015, in close cooperation with other donors and civil society ;
- (d) Coordinate donor activity in sectoral plans efficiently, so that ACP endeavours in education are supported and complemented;

24. Welcomes in this regard the statement by the President of the European Parliament, Mrs Fontaine, in which she echoed the pleas of the Guinean children who died in the undercarriage of the aircraft bound for Europe and stated that we must be capable of responding to this dramatic appeal by incorporating in our cooperation policy an educational and cultural dimension which is lacking;

25. Points to the advantages in setting up modern, central bodies engaged in research, higher education and vocational training at regional level, as well as the need to adopt a regional rather than a national approach in the following sectors:

- medical research and the treatment of infectious diseases,
- the conservation of threatened animal and plant species,
- measures to combat drought and desertification,
- programmes geared towards reforestation and protecting local natural resources, and
- power generation, with particular emphasis on hydroelectric power;

26. Stresses the importance, in the fight against poverty, of establishing decentralised public health programmes;

27. Takes note of the outcome of the 11th International Conference on AIDS in Africa, held in Lusaka recently; notes with alarm that almost 95 % of those infected with the HIV virus live in poor countries and that this epidemic is taking its toll on young, active and often well-educated individuals in the countries concerned; appeals for broad information campaigns and an emphasis on prevention in education to encourage people to change their habits and for the provision of medical treatment;

28. Stresses however that prevention and access to treatment and care go hand in hand, given that prevention can only be effective if those infected are afforded appropriate medical cover;

29. Urges therefore the international community and the EU in particular, to dramatically increase efforts and resources to meet the growing challenges and the human development crisis to which the AIDS pandemic has given rise, as part of the fight against poverty; and stresses the need for a change in attitude of both donors and local governments, who should demonstrate a greater degree of openness in their efforts when dealing with this issue and make the fight against AIDS a priority of their development policies;

30. Calls on the WTO to ensure that the ACP countries are able to produce the necessary medicines or to acquire them at cost price;

31. Calls on the Council and Commission to make it possible to obtain effective, affordable medical treatment for the disease;

32. Urges the Member States of the European Union and the ACP countries to assign budgetary allocations to health care and primary education in line with the stipulations of the '20/20' initiative drawn up at the World Summit for Social Development;

#### **On economics and trade**

33. Affirms that development is not synonymous with good economic performance and that economic growth is a necessary yet insufficient precondition for reducing poverty; forms of cooperation must therefore be developed which attack the roots of poverty wherever it exists and in whatever forms it has adopted;

34. Believes that trade liberalisation, macroeconomic efficiency and fair prices are not enough to ensure that markets serve people, rather than vice versa, and that regulation, fair competition, transparency and accountability are also crucial factors;

35. Considers that an increase in demand within the economies of individual countries can be achieved through a strengthening of the internal market and points, in this connection, to the significance of creating synergies between local, regional and national markets;

36. Emphasises that the State, the market and civil society should not counteract or supplant one another, but should strive in unison to guarantee a transparent, effective and non-discriminatory system; considers that, with a view to achieving sustainable development, States should lay down the framework and limits within which the market is to function;

37. Points out the need for a clear understanding amongst wealthy nations of the fact that poor nations will remain so if they continue to make debt service payments four times the size of their health and education budgets, and for the political decisions of those nations to take account of that fact;

38. Welcomes the Council's stance as regards the undertaking to speed up the debt-relief arrangements for the poorest nations by linking them closely to the anti-poverty strategy;

39. Urges the European Union and its Member States in this respect to set ambitious targets with regard to the amount of debt to be written off and to do its utmost to expedite and improve the implementation of the initiative to assist heavily indebted poor countries, an initiative which falls short of the aim it pursues and has stringent conditions attached to it;



40. Appeals to the sense of responsibility of bilateral and multilateral creditors with regard to writing off outstanding debt or reducing it drastically;
41. Calls for the debt owed by severely indebted ACP countries to be written off entirely by 2001;
42. Notes with concern the proposal to use unallocated EDF funds to finance the EU's EUR 1 billion contribution to debt relief under the HIPC initiative — especially since no consultation has taken place with the ACP governments;
43. Emphasises the seriousness of the social and economic impact which structural adjustment policies (SAPs) have on the poorest countries, particularly among the ACP countries; calls for the SAPs to be thoroughly overhauled so as to take account of the social dimension of development; and highlights the importance of seeing to it that economic reforms are devised by the developing countries themselves, with a view to meeting the needs of their peoples and combating extreme poverty;
44. Stresses that the poorest countries should be allowed to participate on an equal footing in the international financial and commercial institutions, that the 'weighted voting' system within the IMF and the World Bank should be reformed, and that thought should be given to enabling the poorest countries to influence the general approach adopted by the WTO; hopes, furthermore, that those international financial and trade organisations and institutions will endeavour to devise instruments which are suited to financing productive activity in poor areas — in addition to micro-loans there is a need for micro risk-capital, micro-financial engineering and micro-consultancy;
45. Urges the Commission and the Council to show solidarity with the developing countries, with a view to revising the WTO rules in such a way as to enable those countries to control their development;
46. Draws attention to the serious impact which financial speculation has on international stability and security, particularly in the ACP countries; draws attention to the urgent need to regulate such speculative activities;
47. Urges the Commission in this regard to look into the possibility of adopting the so-called Tobin tax;
48. Condemns the attempt made under the Multilateral Agreement on Investment (MAI) to secure a definitive liberalisation of capital markets which would have deprived developing countries, and the ACP countries in particular, of the ability to decide how their resources are used and to control their own economies; considers that the institution in which such an agreement is negotiated should under no circumstances be the OECD, given that it represents the industrialised nations only;
49. Points out that the poor and women do not enjoy access to financial services; calls on governments and donors to take their lead from the successful programmes conducted in some developing countries and to create new micro-credit facilities aimed at broadening access to credit and savings, especially in rural areas;
50. Recommends in particular that assistance should be given to micro-businesses to enable them to improve the services they provide, for which purpose sector-specific programmes to promote vocational training and practical management should be launched;
51. Reiterates its support for measures to foster the popular economy, particularly in large urban sprawls, given that rapid urbanisation in certain ACP countries is causing political and social instability;
52. Notes that production processes which are heavily reliant on resources enjoy access to subsidised raw materials on which the livelihood of a sizeable number of people from more underprivileged groups depends, and that the consumption of these industrial raw materials is determined by market forces alone, not by social and environmental considerations;
53. Declares its support for fair, solidarity-based trade as a valid practice in ACP-EU relations;
54. Recommends a more transparent and simpler approach to rules of origin, which have greatly hindered the development of ACP trade at regional and international level alike;

55. Regards trade liberalisation as a threat to the security of food supply for the poorest in society, unless it is tied to a set of conditions designed to dismantle agricultural subsidies, allow free access to markets and remove export subsidies in the wealthy nations; asserts the fundamental right of peoples and governments of developing countries to seek self-sufficiency in food, notwithstanding external pressures;

56. Stresses that, although the smooth integration of the ACP countries into the world market is one of the conditions for those countries' development, the impact of that integration must not be excessively disruptive, for which purpose development must be allowed to come from within and a transition period of at least 10 years must be granted before the WTO rules are fully applied;

### **On the political dimension**

57. Believes that whilst democracy is not the fruit of economic progress, political dictatorship and economic dictatorship frequently lead to poverty;

58. Asserts its conviction that development is intrinsically linked to democratic processes and to the democratisation of political, social and economic structures, and that likewise the involvement of the entire population is a critical aspect of the development process;

59. Affirms the importance of the early establishment of the International Criminal Court and, appreciating and welcoming the leading example of Senegal, Trinidad and Tobago and Italy which have already completed the process for ratifying the ICC statutes, calls upon all Lomé Convention Member States to sign and ratify the ICC statutes by the end of 2000;

60. Maintains that cuts in military spending by the developing countries could bring real benefits in terms of development and security by enabling the ACP countries to spend more on health, education, drinking water and other basic social services and thus make investments which would serve to bolster social stability and lessen the risks of conflict;

61. Calls on the European Union to adopt a common position which will prohibit the export of armaments to developing countries, and in particular, to ACP states where conflicts, potential conflicts, or serious tensions already exist — as a positive contribution to supporting peaceful and democratic resolution to civil and military conflict, and to avoid unnecessary debt arising from the purchase of armaments;

62. Believes that armed conflict, economic inequalities, social injustice, the absence of democratic participation, environmental degradation, human rights violations and conflicting state interests are among other factors which contribute to poverty, and that all these factors should be addressed in order to fight poverty;

63. Believes that before any development-related activity can go ahead, mines must be cleared from those countries affected by this problem; calls on the European Union and the ACP countries to sign and ratify the Ottawa treaty on anti-personnel mines;

64. Recalls that a consensus has been reached on the idea that it is better to prevent conflicts than merely to deal with them, for which purpose appropriate tools need to be developed, namely regional tension-monitoring centres and permanent mediation structures;

65. Draws attention to the fact that refugees throughout the world currently number more than 30 million and rank amongst the poorest people on the planet;

66. Considers that priority must be given to ensuring that refugees and displaced persons have access to special education programmes, this being a priority task to be carried out in order to alleviate the poverty of such people;

67. Declares that poverty is one of the causes of drug trafficking in many developing countries and that its eradication will thus contribute towards combating drug trafficking;

68. Condemns violations of the fundamental rights of women, who suffer from exclusion, particularly in the poorest countries; calls on the Commission and the ACP countries to introduce cooperation programmes which take account of gender issues, with a view to promoting the dignity of women and putting an end to violations of their rights, such as the practice of genital mutilation;

69. Declares that the successful fight against poverty in rural areas of Africa depends on the adoption of political and economic measures to introduce and share out land ownership;

#### **On sustainable development, science and poverty**

70. Regards it as imperative that, in keeping with the principles and undertakings regarding sustainable development adopted at the Earth Summit, environmental protection should be a consideration running through cooperation policies, from their inception to their implementation, in particular where security of food supply, access to clean water and solving hygiene problems are concerned;

71. Asserts its conviction that the deteriorating environment has a disproportionate effect on the poorest in society; believes, therefore, that research in that field should form part of a broader framework linking the eradication of poverty to good governance and fairness;

72. Urges the international community as well as ACP countries to pay more attention to the interlinkages between poverty and environment, in particular the high dependence of the rural poor on their natural resources base and, building on experience in both India and selected African countries, to explore the opportunities to address poverty by investing in afforestation schemes, soil conservation, water management and so on;

73. Points out the need to formulate basic principles governing the use and distribution of water worldwide; calls for human rights to be respected in the development and distribution of water resources;

74. Believes that science should address basic human needs and emphasise sustainable development and the environment, in accordance with the Declaration and Plan of Action adopted at the World Conference on Science in Budapest on 1 July 1999;

75. Recommends accordingly that, in the case of the less developed nations, at least 0,4 % of GDP be earmarked for research, in particular primary research;

76. Notes that there are entire areas of the world virtually devoid of research activity, be it conducted by the state or by industry, and that, as a whole, the international arena is dominated by the increasing power of the large multinational companies from countries in the North, which do not give priority to issues of vital importance to countries in the South; calls for North-South solidarity to be practised in this field also and emphasises in particular the importance of exploring new avenues of cooperation between the private and public sectors to control the spread of malaria, including malaria research, given the devastating effects of this disease on poor people's health;

77. Calls on the EU to develop an ACP-EU scientific cooperation policy enabling the ACP countries to be included in the 'information society' project and global communications networks to be developed in those countries;

78. Points out that increased agricultural production is vital to development in many countries; recommends, therefore, that agricultural research focus on technologies which may bring benefits to poor farmers;

79. Underlines the importance of traditional know-how and its applications, which should be utilised on a broad basis, given that they generally contribute towards sustainable development; accordingly, draws attention to the need for rural development programmes and micro-projects which are particularly targeted at women to be promoted and adequately funded and for due recompense for the marketing thereof to be guaranteed;

80. Highlights in this regard the importance, with a view to eradicating poverty, of supporting research into, and the full use of, state-of-the-art yet easy-to-use technologies (primarily for the purpose of combating poverty) in the fields of hygiene, water and waste treatment, small-scale irrigation and the utilisation of local resources for medical purposes;

81. Proposes to include in the new Lomé Convention provisions on the principles of Article 8J of the Convention on Biodiversity concerning the preservation of knowledge, innovation and practices of indigenous and local communities and their intellectual property rights, including their approval and involvement and an equitable sharing of the benefits deriving from any use of such resources;

82. Calls for a programme to transfer technology to the ACP countries on a non-commercial basis, together with training programmes which are targeted towards real needs and are in keeping with the principles of sustainable development;

**On poverty in the context of future ACP-EU relations**

83. Warns those governments determined to stamp out poverty of the need to consider both the amount and breakdown of public spending, to conduct an equitable fiscal policy and to look into the most suitable means of utilising their resources with a view to promoting an appropriate political, economic and social climate enabling people to emerge from poverty;

84. Maintains, however, that the eradication of poverty cannot rely on the efforts of central governments alone, but requires the active involvement of a coalition of local and regional authorities, including a practical role for organisations from civil society and the private sector; this requires greater decentralised cooperation;

85. Calls on the Commission to extend concessional facilities to the private sector to involve itself in the provision of health services at the community level in poor areas of ACP countries;

86. States that poverty is neither an isolated issue nor a social problem to be dealt with alongside other such issues, and that the eradication of poverty should form the guiding principle of all development-related measures;

87. Condemns the failure of the policy for the international coordination of development aid; stresses the importance of strengthening the complementarity and coordination of the aid provided by the Member States, the Community and other bilateral and multilateral donors, so as to improve effectiveness; calls on the EU to revive its project for the coordination of the cooperation policies of the Member States, in accordance with the principles and provisions of the Treaties of Maastricht and Amsterdam;

88. Considers that the excessive increase in the number of requests for action and in uncoordinated projects has come to undermine the effectiveness of aid and had an undesirable impact on recipient countries and donor countries alike; therefore urges those ACP countries which have not already done so to use the commitments made in Copenhagen as a basis for formulating domestic development and anti-poverty strategies providing a coherent overall framework in which to coordinate domestic initiatives, both public and private, and external aid as a whole;

89. Similarly, emphasising the intrinsic link between poverty and ill-health, calls on all EU and ACP Governments to fulfil commitments made at the Cairo Conference to ensure reproductive health services for all; to ensure EU development assistance targets thus especially vulnerable groups including young people and refugees; and to recognise the importance of family planning;

90. Points out that the priority given to the fight against poverty should be reflected in the allocation of resources and that one of the criticisms levelled at Community policy in independent assessment reports refers to the fact that low-income countries receive a smaller share of Community aid than middle-income countries;

91. Points out likewise that the impact of action cannot now be measured solely in terms of the amount of money allocated and that the pressing need exists, therefore, to devise and apply methods and indicators to gauge the follow-up, impact and results in the various spheres of action;

92. Considers that, it is absolutely necessary to make development cooperation policy consistent with the other policies pursued by the Union,

93. Calls on the Commission and the ACP countries to make universal access to basic social services a core aspect of future cooperation, in accordance with the undertakings given with a view to achieving social development;

**On poverty in the European Union and alerting the European citizen thereto**

94. Considers that, within the European Union, integrating the poor into its economic and social life should constitute a leading policy aim and that resources should be freed up to combat the spread of poverty across the Union, a contributory factor in the upsurge in racism and violence, a move which would involve supporting local groups active in the fight against poverty, and averting a deterioration in social protection systems for the most impoverished, particularly in urban areas with pockets of social exclusion and in less-developed European regions with poverty rates which are high by comparison with the EU average;

95. Notes that in Europe ever broader sectors of the population, particularly immigrants and people from ethnic minorities, are falling prey to destitution, marginalisation and exclusion;

96. Warns of the need to reorganise public spending if social cohesion is to be achieved;

97. Draws attention to the fact that poverty is linked to the respect for human rights and consequently concerns all countries, be they in the developing world or in the industrialised world, where the plight of refugees and immigrants, as well as the poorest in society, is worsening;

98. Calls on the EU to highlight the economic, cultural and social contribution made by ACP immigrants, to take effective action to combat the racism and xenophobia which seems to be spreading in our societies, and to uphold the fundamental rights of immigrants particularly in the economic, social and political fields;

99. Is aware that worldwide development cannot be achieved without the support of the international community; considers it important, therefore, that European citizens be made aware of the causes of poverty and inequalities in the developing world, the means at their disposal to alleviate those causes, and the threat posed by inequalities to the future of an ever more interdependent world;

100. Considers it necessary to promote awareness within European society of the plight and problems of those people excluded from that very society;

101. Underlines the huge importance of improving education on development; calls for public opinion to be alerted to the action undertaken by the European Union in the field of development policy, for greater awareness and understanding of the reasons for pursuing this policy to be encouraged, above all amongst young people, and for a spirit of solidarity with underprivileged peoples to be encouraged; calls also for a more systematic project to set out and analyse relations between the industrialised nations and the developing world;

102. Believes that the human race has immense potential at its disposal and that, as the UNDP has pointed out, for the first time in history, the human race has the resources to eradicate poverty and social exclusion; points out that only with a huge input of solidarity which enables the principle of social justice to be made a reality can that potential be put to good use; appeals, therefore, to all institutions and Member States of the European Union to make the 21<sup>st</sup> century the century of solidarity;

103. Draws attention to the recommendation by the European Parliament to develop cooperation between local communities in the ACP countries and in the Member States of the European Union, since such decentralised cooperation involves measures and projects which affect people's everyday lives, boosts moves towards decentralisation at local level in the ACP countries and promotes awareness amongst the inhabitants of local communities in Europe of the problems allied to poverty and development;

104. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on the current state of negotiations on the future of ACP-EU relations**

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 to 14 October 1999,
  - having regard to its resolution adopted on 1 April 1999 in Strasbourg (France)<sup>(2)</sup>, and reiterating strongly the points therein,
  - having regard to its resolutions adopted on 1 April 1999 in Strasbourg (France) concerning the participation of civil society in the development process and the WTO millennium round, and again re-iterating strongly the points therein,
  - having regard to the conclusions reached at the Second Ministerial Negotiating Conference on a successor agreement to the Lome IV Convention (Brussels, 29-30 July 1999) and in view of the next and final Ministerial round of negotiations to be held in mid-December,
- A. strongly believes that it is important for the credibility and the relevance of the ACP-EU partnership that a new agreement be concluded before the date of expiry of the present Convention, i.e. February 2000,
- B. notes with satisfaction the progress achieved during the last Ministerial Negotiating Conference and the prospects for success in remaining key areas at the next Ministerial round on various important issues, in particular financial cooperation, participation of the private sector, role of civil society in political dialogue and issues leading to migration,
- C. deeply concerned, however, over the lack of agreement in a number of critical areas, namely the principles and objectives of trade cooperation to be included in the Framework Agreement; the length and purpose of the preparatory period for transition to alternative trade arrangements; the continuation of Stabex and Sysmin; and the status of good governance within the future Convention,
- D. welcoming the current post-Lome IV negotiations as an opportunity to define a new and innovative relationship between the EU and the ACP which can also deliver a clear message to the forthcoming WTO millennium round,
- E. welcomes the EU's commitment in the July Ministerial negotiations to close cooperation with the ACP in the WTO, with a view to defending the arrangements reached in particular with regard to the degree of flexibility available,
- F. welcomes the EU's recent commitment to devote more than one million Euro over the next five years to financing better co-ordination of the ACP countries within the WTO, particularly in connection with the next round of multilateral trade negotiations,
- G. welcomes the EU's more flexible position with regard to Regional Economic Partnership Agreements (REPAs) and its acceptance that no instrument or model for ATAs need be identified in the Framework Agreement,
- H. believes that the EU negotiating mandate should allow for this flexibility and calls on the EU Member States to provide the ACP with genuine options for future trade relations with the EU,
- I. underlines the political importance of transparency, accountability and the fight against bribery and corruption in public administration for both parties;
- J. acknowledges the difficulty of determining the scope and dimension of this concept, particularly in relation to the overlap between the concept of good governance and the essential elements of respect for human rights, democratic principles and the rule of law, already included in the Convention;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

<sup>(2)</sup> AP/2688/fin.



- K. notes that the ACP has undertaken to draft a declaration on good governance for consideration at the next Ministerial Negotiating Conference;
- L. welcomes that both parties acknowledge the importance of involving a wide variety of stakeholders like civil society, economic and social partners, women, environmental and nongovernmental governmental organisations in the partnership and the role they can play in strengthening it,
- M. calls on both parties to provide for mechanisms and procedures which would facilitate a more structured dialogue between ACP governments and the private sector;
- N. underlines that the objectives of the future ACP-EU partnership agreement can only be achieved if adequate funding is provided in the ninth EDF;
- O. firmly believes that a smooth and successful transition towards a new trade regime can only take place if a coherent and global development aid package is also delivered and implemented;
- P. notes the proposal from certain EU Member States to use unallocated EDF funds to finance the EU's 1 billion EURO contribution to debt relief within the World Bank's HIPC initiative, particularly considering that the 1993-1999 EDF underspend represented only 25 million EURO.
1. Calls on EU and ACP Ministers at their meeting in December to agree on the rollover of the current Lome Convention and to cover the preparatory period to alternative trade arrangements (ATAs);
  2. Calls on the EU negotiators to reinforce its partnership with the ACP in order to change WTO rules and put an end to the restrictive supranational rules which guarantee respect for a hierarchy of values where trade liberalisation takes precedence over poverty alleviation and sustainable development;
  3. Calls for economic and trade cooperation arrangements to improve on the ACP's current market access, through, a review of the rules of origin, non tariff measures, trade in services and trade related areas, without pre-empting discussions to be held on these issues in the forthcoming WTO millennium round;
  4. Calls on the Council to adjust the present common agricultural policy in order to make the European market more accessible to ACP products;
  5. Calls for the principle that ACP countries should enjoy during the preparatory period to alternate trade arrangements at least as good EU market access as they do presently, a commitment enshrined in a Council statement made during the UK Presidency which states that: 'The EU will examine all alternative possibilities to FTAs to provide these countries with a new framework for trade... equivalent to the existing situation';
  6. Calls for acceptance of the principle that a fundamental objective of the ATAs must be enlarging access to the EU market, particularly for products of low technology industries and sectors where ACP countries are either currently competitive or could become so in the near future;
  7. Re-iterates its call for at least a 10 year preparatory period for transition to ATAs, during which the EU should maintain and improve present non-reciprocal trade arrangements;
  8. Calls on the EU-ACP to undertake impact assessment of current trade liberalisation on ACP economies (job creation, health, education, environment, etc.) under the various structural adjustment programmes as well as EU's GSP revision, the CAP reform, the EU enlargement in view of preparing alternative trade arrangement;
  9. Believes the EU and ACP should state the special circumstances required under Article IX of the WTO Agreement to justify a 10 year waiver, particularly in the light of the fact that the ACP makes up 39 LDCs in respect of which the WTO has already decided to allow the provision of non-reciprocal trade preferences; that the ACP comprises 24 islands and 14 landlocked countries, most of them small economies whose marginalisation has been recognised by the WTO; many ACP states are also vulnerable, a concept which is being increasingly recognised by the major financial and trading institutions, including within the WTO;

10. Believes important precedents exist to justify a 10 year WTO waiver (The Caribbean Basin Economic Recovery Act, the Caribbean waiver granted to Canada);
11. Calls on the EU to work with the ACP and other developing countries to initiate concerted action to seek modification of the WTO Enabling Clause, Article XXIV and other WTO provisions relevant to the achievement of their agreed objectives and to amend WTO rules to recognise the special circumstances and need for differential treatment of small vulnerable states;
12. Considers that the WTO Dispute Settlement Mechanism is unacceptable and anti-democratic as decisions are taken only on commercial criteria as the banana disputes between EU and USA has shown and calls on ACP-EU negotiators to change the WTO status which allows the organization to act as judge and jury;
13. Supports the ACP's request for negotiations on ATAs to begin in 2006 with a view to their conclusion in 2010, to give the ACP time to prepare for negotiations and economic liberalisation;
14. Calls for the negotiations of ATAs to take account of the level of development and the socio-economic impact of trade measures on ACP countries, and their capacity to adapt and adjust their economies to the liberalisation process;
15. Considers that priority should be given to the goal of sustainable development in conformity with Agenda 21, the Basel Convention, UN convention on biological diversity etc;
16. Reiterates that these negotiations should be as flexible as possible in establishing the duration of the transitional period and the degree of asymmetry, in conformity with the WTO rules then prevailing;
17. Believes that the definition and implementation of any future trade options — either Free Trade Arrangements or other options — should depend not only on an agreed timetable but equally on the achievement of jointly selected thresholds based on financial, economic and human development indicators;
18. Stresses that such financial, economic and human development indicators should reflect, for example, finance and government revenue, institutional capacity, human resources, competitiveness and physical and social infrastructures;
19. Reiterates that the instability of revenue from basic products and mining continues to be a major threat to the ACP countries and that serious consideration should be given to maintaining Stabex and Sysmin, although these arrangements must be made more transparent and efficient and payments must focus on benefitting producers in the affected sectors;
20. Re-iterates its call for an assessment of the banana and beef/veal protocols, an investigation into the precise and unique circumstances of each industry and that these protocols be tailored, on a case by case basis, to the requirements of each industry, and be rolled over to ensure the survival of these industries;
21. Calls for support within the Partnership Agreement for the ACP rum industry, particularly the traditional ACP exporters of commodity rum, in improving efficiency and competitiveness; also for transitional measures for the period of 2000 to 2002 to help the ACP industry maintain their market access in the face of liberalisation on the 1st January 2000;
22. Calls on the Commission once again to ensure that market access for bananas from ACP suppliers be maintained and protected;
23. Urges the EU to support the ACP rice industries to develop their efficiency and competitiveness, in recognition of the fundamental importance of this staple food to both net importers and net exporters in the ACP;
24. Calls on the parties to defend Lomé's protocols in the WTO with a view to maintaining and improving them;



25. Calls on both parties to ensure that the new partnership agreement maximises the contribution of tourism to the economic and social development of ACP states; minimises existing or potential negative effects of tourism and respects the environment, local and cultural heritage; creates a new framework for public/private partnership in support of the sustainable development of the ACP tourism industry; ensures the participation of the ACP private sector, civil society, local communities and indigenous peoples in future ACP/EU development cooperation programmes in the tourism sector;

26. More generally, calls on the parties to reach an agreement on the role of civil society actors including a clearly stated role for civil society in the conception, preparation, implementation and evaluation of national/regional indicative programmes; observer status in all relevant EU/ACP institutions; and accessing funding for development activities including capacity building;

27. Proposes that the concept of good governance be defined as the responsible management of public resources with a view to sustainable and equitable development; this concept would therefore involve;

- a) clear procedures in the public decision-making process,
- b) accountable management and efficient monitoring,
- c) transparent institutions,
- d) effective measures for preventing and fighting active and passive corruption;

28. Accepts that the EU has faced this challenge recently and as a result a new set of procedures have been agreed and recognises that good-governance is a priority issue to be internally addressed by the European Union as an essential instrument to fight against corruption in contemporary societies;

29. Acknowledges that good-governance is a far more difficult goal to reach in countries struggling against poverty; therefore urges the ACP countries and the EU to work together for a full joint commitment on this issue;

30. Believes that corruption is deeply damaging to society and that therefore efficient measures have to be taken in order to stop and prevent money-laundering as well as drug trafficking;

31. Insists in particular that — as regards the fight against corruption — a clear distinction must be drawn between cases of institutionalised corruption and misappropriation of funds on the part of a single individual; stresses that in the latter case the concept of good governance is not applicable and that no sanction — under the application of this concept — should apply;

32. Considers that the 'good governance' clause should first and foremost be used as a means of favouring those countries that comply with it;

33. Deeply conscious of the shortcomings in the definition and implementation process of the non-execution clause of Article 366A of the present Convention; insists that this non-execution clause be revised in order to better avoid any danger of arbitrary measures; believes, in this context, that the assent of the European Parliament, prior to any application of sanctions, would constitute a guarantee of greater objectivity;

34. Believes that it is crucial to reduce to a minimum arbitrary elements in the decision making process concerning the implementation of the non-execution clause with reference to good governance;

35. Proposes to examine the creation of a joint body made up of representatives of the European Court of Auditors and their counterparts in the ACP countries and that this body be consulted prior to any application of the non-execution clause in this particular domain;

36. Notes the divergence of views on the nature and scope of the risks to be covered in the setting up of an ACP-EU Investment Facility in support of private sector development and investment and calls for this facility to maintain the concessionary nature of risk capital;

37. Calls for the rationalisation and simplification of the financial cooperation instruments which allow for better focusing and targeting of funds;

38. Urges the Finnish Presidency to take the necessary steps to ensure that the budget of the next EDF reflects the will of the Member States to provide firm support for the development efforts being made by the ACP countries at a time when those countries are having to take up the challenges of globalisation; reiterates the need for budgetisation of the EDF to bring it under the control of the European Parliament;

39. Calls on the EU Member States to significantly increase the volume of the next EDF to adequately support the important structural adjustment costs that the ACP States will have to bear during the preparatory period, taking into account such criteria as population growth, the evolution of commodity prices, the debt burden, the need for capacity building as well as the necessity to reinforce existing instruments and to address new fields and methods of cooperation;

40. Reiterates the importance of enlarging the partnership between the ACP countries and the EU to include those involved in development and, in particular, the representatives of organised civil societies who ought to be consulted when development programmes are drawn up and implemented; calls for the ACP-EU Advisory Joint Committee which has been set up within the European Economic and Social Committee to be specifically mentioned in the text of the new Convention as a means of furthering and monitoring the enlargement of the partnership;

41. Calls for the creation of an ACP-EU Civil Society Working Group that is constituted of representatives of the ACP and EU civil society, as well as the ACP Secretariat and the European Commission, and that the future ACP-EU cooperation agreement provides for annual meetings and consultations between designated representatives of the relevant ACP-EU institutions and the Working Group;

42. Recommends that this Joint Assembly extends the mandate of the Working Group on Future Relations to ensure it continues to monitor all aspects of ACP-EU cooperation;

43. Urges the European Union (Council and Commission) to deem the resources allocated to the beneficiary ACP countries under the 7<sup>th</sup> and 8<sup>th</sup> EDF (programmable aid, Stabex, Sysmin, etc.) to be rightfully theirs; considers therefore that such resources should not be reutilised as the EU's contribution when the budget for the 9<sup>th</sup> EDF (2000-2005) is established, or used outside the confines of the revised Lomé Convention (Kosovo, alignment of the debt of the poorest countries, etc.);

44. Instructs its Co-Presidents to forward this Resolution to the ACP-EU Council and the Commission.

## RESOLUTION<sup>(1)</sup>

### on the situation in East Timor

*The ACP-EU Joint Assembly,*

— meeting in Nassau (Bahamas) from 11 to 14 October 1999,

— having regard to its previous resolutions on the situation in East Timor,

— having regard to the UN Security Council resolution 1264/99,

— having regard to the Declaration made by the Presidency on behalf of the EU on 21 September 1999,

A. recalling the agreement concluded on 5 May 1999 between Indonesia and Portugal on the question of East Timor and the agreements concluded between the United Nations and the Governments of Indonesia and Portugal regarding the arrangements for the popular consultation of the East Timorese through a direct ballot, and also security arrangements,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

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- B. having regard to the unequivocal result of the referendum held on 30 August 1999, which recorded a turn-out of 98,6 % and by means of which the overwhelming majority of the East Timorese people (78,5 %) called for independence,
  - C. whereas the results of the referendum were announced by the UN Secretary-General and validated by the United Nations, the President of Indonesia, Portugal and the international community,
  - D. whereas the Indonesian authorities themselves have said that they regard the results as a statement of the East Timorese people's desire for independence,
  - E. whereas after the referendum result was announced, pro-Indonesian militias, trained and armed by the Indonesian police and army, launched a campaign of terror in the country, killing defenceless citizens, burning down houses, splitting up families, deporting communities and attacking Unamet, the Red Cross, journalists and observers, as well as committing other serious violations of human rights,
  - F. whereas Indonesia has clearly violated Article 3 of the New York Agreement, as it has failed to guarantee the maintenance of peace and security in the region, whether through inability or deliberate inaction,
  - G. whereas the first step towards guaranteeing the independence of a country must be to safeguard its people's physical integrity,
  - H. whereas the international force started its deployment in East Timor on 20 September 1999,
  - I. whereas this deployment shows the willingness of the international community to stop the massacre of the civilian population and to find a peaceful and lasting solution to the question of East Timor based on the self-determination of its population,
  - J. whereas the humanitarian situation remains very grave in East Timor as well as in West Timor,
  - K. alarmed by reports that a great number of refugees are being forcefully relocated to smaller islands, away from the attention of international media and out of reach of humanitarian agencies,
  - L. expressing its concern at reports indicating that systematic, widespread and flagrant violations of international humanitarian law and human rights have been committed in East Timor, and stressing that persons committing such violations bear individual responsibility,
  - M. congratulating the people of East Timor on their exemplary conduct during the referendum process and on their high turnout in the referendum;
- 1. Welcomes the deployment of the international peace force in East Timor;
  - 2. Praises the contribution of those UN Member States, in particular Australia and Asean States, which have given troops and material support to the international force;
  - 3. Calls on the international force to speedily fulfil its mandate of restoring peace and security, facilitating humanitarian assistance operations and protecting and supporting Unamet in carrying out its tasks;
  - 4. Calls on the United Nations to exercise the responsibilities it has assumed under Article 7 of the New York Agreement and to maintain an appropriate presence in East Timor;

5. Calls for the transfer of authority to the UN to be speeded up and calls on the Indonesian Government to cooperate fully with the international force, to withdraw its armed forces from East Timor according to schedule and to facilitate the rapid containment and disarmament of any paramilitary elements in the territory;
6. Regards guaranteeing security throughout the territory as a priority, so as to ensure that refugees and displaced persons are able to return and to allow journalists and non-governmental organisations access to the entire territory of East Timor;
7. Condemns any forced relocation of refugees and calls on the Indonesian Government to provide full and unconditional access to the relief agencies and to give the refugees the free choice to go back as soon as possible;
8. Emphasises the urgent need for coordinated humanitarian assistance and the importance of allowing full, safe and unimpeded access by humanitarian organisations, and calls upon all parties to cooperate with such organisations, so as to ensure the protection of civilians at risk, the safe return of refugees and displaced persons and the delivery of humanitarian aid;
9. Utterly condemns the massacres and criminal acts committed by the pro-Indonesian militias with the participation of the police and army of Indonesia against the people of East Timor, which have already brought about the deaths of an as yet indefinable number of people;
10. Insists that impunity for atrocities cannot be tolerated and urgently calls for a UN international commission of inquiry to identify those responsible for the massacres and other violations of human rights and humanitarian law and to set up, as soon as possible, an international tribunal for the crimes committed in East Timor;
11. Urges the ACP-EU Council, the Member States of the European Union, the ACP countries and the international community in general to recognise the State of East Timor and establish diplomatic relations as soon as possible;
12. Calls on the Commission to start preparations for the rapid accession of East Timor to the Lomé Convention;
13. Calls on the EU urgently to provide adequate budgetary means for the rehabilitation and reconstruction of East Timor and to finance the process of transition to independence, and calls on the Commission to submit an appropriate proposal to the Council;
14. Instructs its Co-Presidents to forward this resolution to the Council, the Commission, the UN Secretary-General, the Government of Indonesia, Asean and Xanana Gusmão.

## RESOLUTION<sup>(1)</sup>

### on rum

*The ACP-EU Joint Assembly,*

— meeting in Nassau (Bahamas) from 11 October to 14 October 1999,

- A. reaffirming its resolution on rum adopted at the 28<sup>th</sup> session held in Strasbourg (France) from 29 March to 1 April 1999,
- B. recalling the resolution on rum adopted at the 69<sup>th</sup> session of the ACP Council of Ministers held in Brussels (Belgium) from 26-28 July, 1999,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

- C. recalling that the trade objective of the Lomé IV Convention is to promote trade between the ACP and the Community and whereas the provisions of Protocol 6 for the duty-free entry of ACP rum into the EU market were designed to ensure that developing ACP countries secure a share of the rum market commensurate with the needs of their economic development,
  - D. having regard to the importance of the rum trade with the EU to the economies of ACP rum producing states and the contribution of the rum industry to foreign exchange earnings, employment and hence, the socio-economic development and political stability of the states concerned,
  - E. whereas the white spirits agreement initiated during the first WTO ministerial conference and the subsequent EU/US Memorandum of Understanding of March 1997 for the elimination of tariffs on certain spirituous beverages eroded the ACP preferences in the rum trade and exposed ACP producers to competition from subsidised third-country suppliers,
  - F. recalling the March 24 1997 Declaration of the EU Council and the Commission to the effect that the EU/US Memorandum of Understanding will not change in any way the terms of access enjoyed by ACP rum exports to the Community market in the framework of the Lomé Convention and do not prejudice the future of the regime after the Convention expires in 2000,
  - G. considering the competition facing ACP rum from other products labelled as rum, and the substantial investments made in developing and marketing ACP rum within the constraints of the quota system, which to a large extent restricted trade to low-margin bulk rum,
  - H. noting the extensive promotion campaign that will need to be undertaken by the ACP to develop a market for higher-quality branded rums in order to reduce their dependence on commodity rum, and recognising that this process would require an extended period so as to ensure their ability to compete successfully in a tariff free market with rums from other regions,
  - I. having regard to the proposal submitted by the ACP outlining the requirements of the ACP rum industry during the post Lomé IV period,
1. Calls on the Community and Member States to:
    - i. fully honour their commitment under Protocol 6 on rum in the IV Lomé Convention and also extend the preferences beyond 2000 to permit the ACP to develop their traditional trade flows with the EU to its full potential;
    - ii. ensure that, as stated in the 24 March 1997 Declaration by the Council and Commission given in the context of the EU/US Memorandum of Understanding, the terms of access for ACP rum exports are not adversely affected and their competitive position in the market is maintained;
    - iii. index the pricing mechanism of the EU/US Memorandum of Understanding and retain the present tariff level on low-priced non-ACP rum as called for in the Memorandum of Understanding, thereby safeguarding the ACP against unfair competition from third-country suppliers;
    - iv. reconsider the ACP proposal on rum and ensure that arrangements are made prior to the year 2000 for the continuation of ACP preferences and that adequate resources are provided for marketing support to assist the ACP in promotion and expansion of sales on the Community market;
    - v. maintain strict enforcement without derogations of EU rules limiting commercial use of the term 'rum' as described in Article 4 of the Council regulation (EC) N° 1576/89;
    - vi. support fully the pm budget line proposed by the European Parliament to fund preparatory actions to enhance competitiveness among traditional ACP exporters.
  2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission

**RESOLUTION<sup>(1)</sup>****on the prevention of natural disasters**

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 to 14 October 1999,
  - having regard to European Parliament resolution A4-0021/97,
  - having regard to the European Parliament's opinion of 2 October 1997,
  - having regard to Commission Communication COM(96)0153 — C4-0265/96,
  - having regard to Regulation 1257/96 of 20 June 1996 on humanitarian aid,
- A. having regard to the growing number of natural hazards and disasters and the increase in the devastating violence thereof, the origin of which may be found in climate change, demographic pressure and the impact which human beings have on nature throughout the world,
- B. whereas disasters not only result in a significant number of victims and high socio-economic costs but also hinder the development processes in which the European Union plays a role,
- C. whereas the European Union's contribution to development represents 44 % of the world total and whereas ECHO contributes 40 % of total European aid,
- D. firmly believing that devoting greater attention to the prevention of natural risks in the drawing up and implementation of development strategies would make a major contribution to achieving the priority objective of sustainable development,
1. Draws the attention of the Commission, the Council and the Member States to the topic of disaster prevention and preparedness with a view to securing greater protection of human lives, preventing suffering and limiting the economic consequences of disasters;
  2. Firmly supports the work done by ECHO in south-east Asia, Bangladesh, Central America and the Caribbean by means of an approach involving the Dipecho programmes;
  3. Calls for such an approach to be extended to other parts of the world, without excluding the implementation of selected initiatives in areas which are not covered by the Dipecho programmes;
  4. States once again its firm belief that disaster prevention should be systematically taken into account in its development cooperation policy, particularly in the preparation of a new agreement between the ACP States and the European Union and in any new or renewed cooperation agreement;
  5. Insists that the various aspects of disaster prevention (prevention itself, mitigating the consequences of disasters and preparing for disasters) should be regarded as a fully-fledged component of development and development cooperation policies as regards both general programmes and specific projects within those programmes, and calls in particular for any humanitarian operation financed by ECHO to include a prevention aspect;
  6. Calls for greater account to be taken of the high socio-economic costs of disasters and the benefits of disaster prevention in the environmental assessment of the development policies, strategies, programmes and projects conducted by the European Union;
  7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

**RESOLUTION<sup>(1)</sup>****on tourism and development**

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 to 14 October 1999,
  - having regard to the communication from the Commission to the Council and the European Parliament (COM(1998)563) on a 'European Community strategy to support the development of sustainable tourism in the developing countries',
  - having regard to the communication from the Commission to the Council and the European Parliament (COM(1998)667) on a 'European Community strategy for private sector development in ACP countries',
  - having regard to the resolution of the ACP-EU Joint Assembly on the cultural dimension in development and cooperation, including matters relating to heritage and tourism adopted in Strasbourg on 1 April 1999,
- A. whereas tourism can be an effective factor in promoting economic development and creating jobs requiring all levels of skills,
- B. having regard to the dangers that uncontrolled development of tourism poses to the environment and society in that it imposes an excessive burden on nature, has a serious impact on local cultures and aggravates environmental problems through exploitation of natural resources, transport and waste management,
- C. whereas on the other hand tourism stimulates the economy in such sectors as transport, construction and the food industry, thereby simultaneously promoting private-sector activity, and can thus help to attain one of the most important goals of EU-ACP development cooperation,
- D. whereas preserving cultural assets, which are of enormous historical, artistic, educational, social and economic value, is important to an area's reputation as a tourist destination, because a well-preserved cultural heritage of high quality is attractive to travellers and investors,
1. Is strongly convinced that in response to the growth in tourism the right conditions must be created to enable tourism in ACP countries to contribute decisively to the sustainable economic and social development of those countries, to the reduction of poverty, and to their gradual integration into the world economy;
  2. Calls on the Commission and Member States to support the ACP countries in their efforts to promote environmentally and socially acceptable tourism, and to incorporate this endeavour, in an appropriate form, into the future agreement with the ACP countries,
  3. Considers that it is essential to involve the local population and local-community decision-makers directly in programmes to promote sustainable tourism in order to achieve general acceptance and a willingness to identify with the measures, and observes that, in particular, equal participation by women should be facilitated and promoted;
  4. Considers that cooperation between governments, the private sector and civil-society organisations in the context of the organisation of tourism is essential and that an appropriate legal framework should be created for this;
  5. Calls on the Commission, the Member States and the ACP countries, in accordance with the general objectives and priorities of development, to devote an appropriate proportion of subsidy funds to promoting environmentally and socially acceptable tourism;
  6. Expects EU-ACP cooperation to result in practical measures to halt undesirable developments arising from tourism, particularly measures to help victims of child pornography, sexual abuse and sex tourism, as well as appropriate measures to prevent these;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).



7. Believes that, in adopting such measures, particular attention should be devoted to support for small and medium-sized enterprises, especially in fields directly or indirectly linked with tourism, fostering the cultural heritage and cultural events, such as museums, memorials, hotels, restaurants, management of nature parks, travel agencies, trade or small industries;
8. Stresses, in this connection, the importance of preserving landscapes in urban and rural development planning, attaches importance to preservation of the cultural heritage and stresses the need to protect buildings and cultural sites;
9. Stresses the importance of ensuring that environment, culture and traditional ways of life are not jeopardised by tourism, and therefore calls on the EU Member States, the ACP countries, the Commission and the EIB — particularly in countries where tourism is a major activity — to seek to secure balanced policies on culture and tourism, geared to sustainable development, which should involve assessments being performed, fields of action determined and dialogues along the main participants coordinated;
10. Instructs its Co-presidents to forward this resolution to the ACP-EU Council and the Commission.

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#### RESOLUTION<sup>(1)</sup>

##### on the WTO Millennium Round of negotiations

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 October to 14 October 1999,
  - having regard to its previous resolutions on the WTO,
  - having regard to the Marrakech agreements,
- A. whereas a new round of multilateral negotiations will be opened in Seattle next November,
  - B. whereas the main aim of the World Trade Organisation must be to organise world trade in a balanced way which enables all parts of the world to develop harmoniously under rules of fair competition,
  - C. bearing in mind that the benefits of worldwide free trade eventually, and the immediate costs of multi-lateral trade liberalisation under the Uruguay Round have to be evenly spread between industrialised and developing countries and that a better balance needs to be established in favour of developing countries, to enable and empower the transition,
  - D. recalling that the Lomé Convention is a comprehensive multilateral agreement which recognises preferential trade arrangement in favour of ACP countries as development instruments,
  - E. recalling that the EU mandate offers to rollover Lomé preferences until 2005 with a five year waiver and then graduate towards WTO compatible free trade arrangements which will not require a waiver,
  - F. whereas the ACP seek a ten-year waiver at the WTO during which they can consider alternative arrangements to take effect from 2006 in light of EU's GSP revision, the CAP reform, the EU enlargement and the outcome of the millennium round,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

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- G. recognising, in this connection, the special situation of small States, which by virtue of their small size, face severe constraints such as undue exposure to external factors and risks beyond their control, high volatility of terms of trade because of a narrow base of export products and limited possibilities for diversification,
- H. proposing that those States must be supported technically and financially in a stronger regional approach and cooperation which could be a base of a better development in future,
- I. further recognising that the ACP States, with few exceptions, are net food importing, developing, least-developed, land-locked or island States with particular economic and social difficulties, which rely on only a few commodities for their socio-economic development,
- J. recognising the multi-functional nature of agriculture for ACP countries, its role as a foreign exchange earner and major employer and its contribution to food security, environmental protection and rural development and the improvement of the condition of women,
- K. noting that a WTO panel earlier this year ruled against certain aspects of the EU banana import regime and that the EU Council subsequently agreed to reform the system whilst honouring its obligations under the Lomé Convention,
- L. whereas a lowering of trade barriers would substantially contribute to the expansion of South-South trade,
1. Formally requests the Council, the Commission, the governments of the member States of the EU and the governments of the ACP States to make every effort to ensure that the 'millennium round' negotiations lead to the recognition by the WTO of the preferential agreements as development aid instruments;
  2. Requests a strengthening and differentiation of WTO mechanisms in order to reconcile by a common action the interests of developed and developing countries and, in particular, greater consideration for the objective of combating poverty;
  3. Considers that the opening up to external markets can play a pivotal role in the development of the ACP countries and calls on the Commission and the ACP-EU Council to include in the new Lomé Convention provision seeking to strengthen ACP economies and enhance their competitiveness on the world market;
  4. Calls on the Council to adjust the present common agricultural policy in order to make the European market more accessible to ACP countries;
  5. Stresses the importance of adopting a flexible and open position within the WTO in order to consider the implementation problems encountered by the various countries on an individual basis with a view to finding appropriate and satisfactory solutions for the ACP countries' development prospects;
  6. Calls on the future ACP and European negotiators to draw up a common strategy in order to facilitate the taking into account by the WTO of the legitimacy of the health, human rights, environmental and social norms which it tends to regard as obstacles to world trade;
  7. Calls on the EU to ensure, during regional and multilateral trade negotiations, that the necessary coherence exists between its development priorities and its trade liberalisation strategies, in particular by making sure that interregional liberalisation between the EU and the developing countries does not compromise those countries' development efforts;
  8. Requests the continuation of the Lomé trade preferences and protocols for a sufficiently long transitional period in order to allow ACP countries to protect and develop their economies until the playing field becomes even,
  9. Requests the Commission and the EU to be mindful of the special status of the Sugar Protocol, which is of indefinite duration, and to ensure that the benefits the ACP sugar supplying States currently enjoy under the Sugar Protocol and the Special Sugar Agreement (SPS) are not further eroded;

10. Emphasises the need for special and differential treatment for small States, both in terms of access to concessionary finance and trade preferences, with due regard to their vulnerability and limited capacity to withstand external risks and threats, and including the financial and technical assistance for a better regional approach and coordination;
11. Calls on the Commission and the EU to ensure that in the forthcoming WTO round binding commitments are made to implement adequately the Marrakech decision in favour of LDCs and net food-importing developing countries and for technical and financial assistance to be provided by international institutions to improve agricultural productivity;
12. Stresses the fundamental importance of due recognition being given to the multifunctional nature of agriculture and of diverse agricultural systems being recognised and preserved;
13. Urges the Commission and the ACP governments to particularly emphasise the role to be played in the trade liberalisation process by private small companies, private investors and civil society actors and to set up and implement specific programmes assisting them;
14. Stresses the need for assessments of the impact of liberalisation measures on sustainable development (health, environment, poverty) in the developing countries to be taken into account both by the EU and by the WTO, and calls for consideration of the arrangements intended to enable the results of such assessments to be incorporated systematically into WTO procedures and rules;
15. Condemns the imposition and retention of retaliatory sanctions by the United States against European exports, despite the EU's evident determination to comply fully with the WTO ruling;
16. Calls on the EU, as it reforms its banana import regime, to comply with the 1999 WTO ruling, to ensure that ACP bananas will continue to be able to access the EU market on a viable basis and, furthermore, to retain the tariff rate quota system;
17. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Director-General of the WTO.

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#### RESOLUTION<sup>(1)</sup>

##### on the WTO Millennium Round of negotiations

*The ACP-EU Joint Assembly,*

— meeting in Nassau (Bahamas) from 11 October to 14 October 1999,

— having regard to its preceding resolution on the WTO,

- A. whereas the trade objective of the Lomé IV Convention is to promote trade between the ACP and the Community taking into account their respective levels of development and also between the ACP States themselves,
- B. is of the view that the next Lomé Convention should duly take into account the need of supporting the liberalisation of North/South trade and assist the ACP countries to cope with international competitiveness,
- C. whereas the main objective of the free trade economy is the ultimate eradication of poverty,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

- D. whereas openness to the outside market can play a central role in the development transformation,
- E. whereas according to the World Bank abolition of agricultural export subsidies and the achievement of sharp cuts in import tariffs would benefit most developing countries,
- F. recognizing that the ACP States, with few exceptions, are net-food importing, developing, least-developed, land-locked or island States with particular economic and social difficulties and which rely only on a few commodities for their socio-economic development,
- G. whereas much of the gain from reducing trade barriers might be associated with expansion of the South-South trade,
- H. whereas reduction of trade barriers may also help in fighting corruption and strengthening good-governance,
- I. whereas trade preferences are not in themselves sufficient to strengthen the ACP countries' trade capacities,
- J. alarmed by the fact that indiscriminate enforcement of WTO rules and obligations could cause serious disruptions in the economies of the ACP countries,
- K. whereas most of the ACP countries suffer from higher economic volatility, weaker social safety nets and more fragile financial sectors and it is imperative that future liberalisation be carried out in view of strengthening these areas rather than weakening them,
1. Believes that developing countries stand to gain from further progressive liberalisation of trade in agricultural products, manufactured goods and services;
  2. Believes that openness to the outside market can play a central role in the development of the ACP countries and invites the Commission and the ACP-EU Council to introduce in the new Lomé Convention provisions to strengthen ACP economies and their competitiveness in the world market ;
  3. Stresses the importance of adopting a flexible and open position within the WTO in order to consider the implementation problems encountered by the various countries on an individual basis with a view to finding appropriate and satisfactory solutions for the ACP countries' development prospects;
  4. Calls on the Commission and the EU to ensure that in the forthcoming WTO round, binding commitments are made to implement adequately the Marrakech decision in favour of LDCs and net food-importing developing countries and for technical and financial assistance to be provided by international institutions to improve agriculture productivity;
  5. Calls on the Council to adjust the present Common Agricultural Policy in order to make the European market more accessible to ACP products;
  6. Urges the Commission and the ACP governments to particularly emphasise the role to be played in the trade liberalisation process by private small companies, private investors and civil society actors and to set up and implement specific programmes assisting them;
  7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the WTO.

**RESOLUTION<sup>(1)</sup>****on the protection of children's rights**

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 to 14 October 1999,
  - having regard to the United Nations Universal Declaration of Human Rights of 1948,
  - having regard to the 1989 United Nations Convention on the Rights of the Child, the only human rights instrument which has so far been ratified worldwide, with the exception of the USA and Somalia,
- A. having regard to the UN Convention on the Rights of the Child, which defines 'child' as meaning every human being below the age of 18 years except where, under national law, majority is attained earlier, and which defines children's rights as comprising civil rights and freedoms, the right to a family or parental environment, the right to basic health care and a basic standard of living, the right to education, leisure and recreation and to special protection in the event of armed conflicts, legal conflicts or exploitation or if a child belongs to a minority or an indigenous population,
- B. whereas many of the world's children live in the poorest countries on earth,
- C. acknowledging with deep regret that, despite the international standards set by a multitude of conventions, decisions and resolutions, at least 120 000 children, including girls, are currently taking part in armed conflicts across Africa (a figure which, for the world as a whole, rises to almost 300 000) in both governmental armed forces and non-governmental armed groups, and in many cases this includes children under 15 years of age,
- D. whereas, under the ICC Statute, the recruitment of children and the use thereof as soldiers is deemed to be a war crime,
- E. whereas the right to education is a fundamental right, which boys and girls should enjoy in equal measure, and whereas particularly in the case of women there is a direct link between level of education and number of children and child mortality,
- F. whereas religion, custom and tradition are no excuse for tolerating the genital mutilation of girls and under-age young women,
- G. having regard to the extremely harsh situation faced by particularly disadvantaged children such as orphans, street children or sexually abused children, refugee children and traumatised child soldiers,
1. Reiterates its call on the EU and ACP countries to incorporate the principles of the UN Convention on the Rights of the Child in their national legislation;
  2. Proposes that the Council mark the tenth anniversary of the UN Convention on the Rights of the Child by adopting a resolution expressing the political will to promote children's rights and take account of children's interests in all fields of EU policy with developing countries, particularly the ACP countries,
  3. Calls on the ACP States and the EU to make 18 the statutory minimum age of eligibility for military service and to take measures to prevent any participation by children in armed conflicts, and support the demobilisation of child soldiers and their reintegration into society;
  4. Calls on the ACP and EU governments to follow the example of Italy, Senegal and Trinidad and Tobago and to ratify the Treaty establishing the International Criminal Court so that the latter can come into operation as soon as possible;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

5. Calls on the ACP States to implement, with EU assistance, programmes to develop strategies to prevent child labour and to take action against forms of child labour akin to slavery, laying down minimal provisions on hygiene, food, breaks from work and education and setting up bodies to represent young people;
6. Calls for the post-Lomé Convention to incorporate a specific article providing for protection of and respect for children's rights and for the new human rights clause likewise to include a reference to children's rights;
7. Calls for more funds to be made available under ACP-EU cooperation to combat poverty, and for specific consciousness-raising and child nutrition programmes, and for special medical provision to be made for HIV-positive children, and for genital mutilation of women below the age of majority to be defined as a criminal offence;
8. Calls on European and ACP countries to introduce more stringent national laws against sexual abuse, sex tourism and child pornography;
9. Considers, lastly, that the future of the developing countries lies essentially in their ability to provide children with decent education and training. Calls on the Commission and the ACP countries to take prevention, protection and reintegration measures, in particular by taking all necessary measures to promote the physical and psycho-social rehabilitation and effective reintegration into society of demobilised soldiers as children;
10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the UN Secretary-General.

## RESOLUTION<sup>(1)</sup>

### on the abduction of children in Northern Uganda

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 October to 14 October 1999,
  - having regard to the UN Conventions on the protection of the rights of children,
- A. considering that an armed rebellion has been raging in Northern Uganda since 1986, led by soldiers of the former President Milton Obote, under the present name of the Lord's Resistance Army (LRA),
  - B. considering that the LRA has abducted over 10 000 children, as young as seven years old in Northern Uganda, particularly in the districts of Gulu and Kitgum, in the past years,
  - C. considering that these children are taken to camps in South Sudan from where they are sent to fight both the Ugandan government army and the Sudan People's Liberation Army (SPLA),
  - D. considering that the children abducted by the LRA are subjected to extremes of brutality,
  - E. considering that the LRA is armed by the Sudanese government army, which also provides it with food and logistical support, as a counter-move for the alleged support of the Ugandan government to the SPLA,
  - F. considering that the children abducted by the LRA are forced to conduct a reign of terror against their own clansmen — the Acholi population — by killing innocent people or by cutting off limbs, ears and lips, the total number of deaths estimated at over 100 000 and the total number of displaced people at over 300 000,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

- G. considering that the girls are given as wives to LRA commanders and forced to produce a new Acholi generation in the camps in Sudan, the best documented case being the girls of Aboke,
- H. considering that thousands of children have already died in captivity, from hunger and disease, during the fighting or beaten and knived to death as punishment for those who tried to escape,
- I. considering that the government of Uganda has expressed its willingness to grant amnesty to the LRA rebels and commanders who surrender,
- J. considering that the International community has condemned the actions of the LRA in the Human Rights Commission Resolutions of 1998 and 1999,
1. Strongly condemns the abduction of children in Northern Uganda by the LRA and the sequent use of these children in armed combat, which is a flagrant violation of several UN Conventions and international humanitarian law;
  2. Condemns the fact that in Sudan, the use of child soldiers and the enslavement of children continues, and supports the action plan put forward by Unicef to eradicating these practices;
  3. Calls on the LRA to immediately and unconditionally release all the abducted children, stop the reign of terror against its own people and resume talks on ending the conflict in a peaceful way;
  4. Calls on the government of Sudan to stop supporting the Lord's Resistance Army and to cooperate in the release of all the abducted children;
  5. Calls on the government of Sudan to consider the issue of the abducted children as a humanitarian issue and separate it from the larger political issues in the region;
  6. Calls on the Government of Sudan to allow free and full access by humanitarian organisations such as ICRC and Unicef to the LRA camps to ascertain the identities of the abducted children and ensure their safe return to their home communities;
  7. Calls on the Government of Uganda to continue efforts to find a peaceful solution to the conflict in Northern Uganda;
  8. Calls on all parties involved in the conflict in Sudan to resume talks to find a peaceful solution to the conflict in South Sudan;
  9. Calls on the EU to support all efforts to rehabilitate the returning children and to support the affected communities in Northern Uganda;
  10. Calls on the EU to take a more active role in contributing to end the war in both Uganda and Sudan;
  11. Calls on the EU to support initiatives that prevent the use of children in war;
  12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission, to Unicef and the Governments of Uganda and Sudan.
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**RESOLUTION<sup>(1)</sup>****on the role of information technology and capacity-building for developing countries**

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 to 14 October 1999,
  - having regard to previous resolutions concerning the information society and education,
  - having regard to the Fourth Lomé Convention, with particular regard to Articles 132 and 133 in Part II, Title IX, Chapter 4, on cooperation in the field of communication and information technology,
  - having regard to the communication from the Commission, 'Europe's Way to the Information Society. An Action Plan' (COM(94)347), and the European Parliament's resolution on the same subject (OJ C 363 of 19 December 1994),
  - having regard to the communication from the Commission, 'The Information Society and Development: the Role of the European Union' (COM(97)351 final of 15 July 1997),
- A. whereas a major disparity persists between the developing countries, including many ACP countries, and the industrialised countries as regards the benefits of the information society, and whereas within ACP countries there is, above all, a growing gulf between town and country,
- B. whereas the rapid expansion of information and communication technology, ICT, is bringing about massive economic and social transformations worldwide and offers great opportunities as well as challenges to all countries,
- C. whereas the use of new technologies opens up quite new prospects for development as regards trade, transport, the competitiveness and information procurement of small and medium-sized enterprises, research, science and medicine, education and further education,
- D. whereas ICT has an as yet untapped potential to promote human development and social change,
- E. whereas ICT allows access to be gained to hitherto unserved and underserved areas and population groups for important poverty-related activities, such as education and health,
- F. noting that development cooperation agencies have been relatively slow in taking up the challenges provided by the ICT revolution,
- G. whereas it is important that the spread of the so-called traditional media should nonetheless not be neglected and whereas in particular radio — the key medium for the dissemination of information — and also the print media and the programmes of independent national and regional TV channels have an important long-term role to play,
- H. whereas providers of global mobile telephone services (such as Iridium, Globalstar and ICO-Global Communications) intend to create a worldwide mobile telephony infrastructure by the year 2000 on the basis of up to 100 low-orbit satellites, which will be an ideal complement to the traditional mobile radio networks which are confined to conurbations, although the cost of this is extremely high,
- I. whereas global broadband data transmission system networks are being planned, which will make large bandwidths available for digital data transmission, and this will mean that they can offer immense transmission capacities,
- J. whereas the constantly growing need for investment to build up an adequate telecommunications infrastructure exceeds the limits of public budgets and it is therefore essential to promote private investment,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

1. Calls upon the European Union and the ACP countries to mainstream ICT aspects and components into all major cooperation programmes and to define areas where ICT could be specifically used to advance human development and alleviate poverty;
2. Considers that trained personnel are a key element in bringing about more effective use of the new information technologies, in order, for example, to enable them to be used effectively in education and health systems, transport and services, including planning and control;
3. Stresses networking with virtual universities, which can combat the brain drain by offering the educated elite in developing countries adequate means of communication and international exchange;
4. Stresses the importance of providing, as a precondition for ICT connectivity, broad access to telecommunications as well as electricity to the populations of developing countries;
5. Calls for support to content building (software development) in areas of special importance for developing countries, such as tele-medicine, distance education, democracy and participation;
6. Calls on the ACP countries to establish a legal and economic-policy framework with regard to market access, regulation, competition and freedom of establishment which makes it possible for national and international enterprises to make the necessary investment and adjust information-technology procurement prices to an internationally comparable level;
7. Stresses that the universality of services also entails the right to affordable access for all (potential) users, and considers it appropriate, therefore, that the provision of infrastructure for the rural population should be a priority for countries' own development strategies;
8. Notes that many opportunities may arise from the well-directed use of multimedia services for distance learning, that the opportunities afforded by remote medicine and other socially oriented services can fill gaps in services and constitute an important complement to mobile services;
9. Calls upon the European Union and its Member States to initiate pilot projects in areas related to human development and poverty reduction to demonstrate the suitability of new technologies in advancing the development agenda;
10. Calls for special efforts to be made to develop applications suitable for local languages as well as for illiterate people;
11. Hopes that in the informal sector too, new opportunities for training and employment will be exploited for those who have hitherto enjoyed less access to media and information sources, which particularly applies to women;
12. Calls on the ACP countries therefore especially to promote the supplying of all households with radios — where appropriate operated by clockwork — and to further and expand the use of radio to provide information about issues concerned with health education, prevention and treatment, and particularly for information campaigns to combat AIDS;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on the situation in the Great Lakes and the Lusaka agreements**

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 to 14 October 1999,
  - having regard to its previous resolutions on the situation in the Great Lakes,
- A. alarmed at the continuing instability in the Great Lakes Region,
- B. commending the efforts being made by the countries of the region, with particular regard to the signatories to the Lusaka agreement, to find a lasting solution to the crisis in the Great Lakes Region,
- C. whereas the Lusaka cease-fire agreement includes a pledge from neighbouring countries to withdraw their forces, withdraw and disarm the militias operating from the RDC and secure Congo's borders in order to guarantee the safety of neighbouring countries,
- D. whereas the obstacles to the implementation of the Lusaka agreement are enormous, given the grave instability and ethnic tensions that persist in the region and the continuing presence of refugees across the region, which has resulted in a tremendous crisis,
- E. having regard to resolution AHG/16/1 which was adopted by the OAU Conference of Heads of State and Government in Cairo (Egypt) on territorial integrity and the inviolability of national frontiers,
- F. stressing the obligation which all the parties concerned are under to observe strictly the general principles of international humanitarian law and human rights,
- G. having regard to the fundamental nature of the respect which must be shown for the sovereignty of each country's right to make its own social, political, cultural and economic choices,
1. Deplores all human rights violations, summary executions, acts of torture, harassment and rape, ethnic propaganda, incitements to ethnic violence and the enlistment of children as soldiers;
  2. Welcomes the Lusaka cease-fire agreement and calls for it to be supported and implemented without delay, inter alia by means of the deployment of international observers responsible for supervising its implementation ; calls on all parties to the conflict to honour the undertakings given in accordance with the Lusaka cease-fire agreement, and points out that that agreement is crucial to the stability and security of all the countries in the region;
  3. Deplores all the massacres perpetrated on DRC territory and calls for those responsible to be identified and brought to justice, and for an international inquiry into all such events, particularly the massacres in South Kivu in the areas in which those massacres were extremely extensive, to be opened;
  4. Reaffirms its commitment to the principle of the inviolability of the current frontiers, pursuant to the spirit and the letter of the relevant provisions of the UN and OAU Charters; recalls that all ethnic groups and nationalities living inside those frontiers have full citizenship and must therefore enjoy the same rights and protection;
  5. Welcomes the imminent holding of the 'national dialogue' in the DRC in which all active Congolese forces have been invited to take part ; calls on the various Congolese parties to come to an agreement on the mediator at the earliest opportunity, so as to enable that dialogue to be opened; calls, with this in mind, on the authorities of the Democratic Republic of Congo immediately to release all political prisoners and to authorise party political activities with a view to the dialogue and preparations for elections;
  6. Calls on the European Union to provide the resources needed to support the peace initiative in the Democratic Republic of Congo;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

7. Calls on the EU Member States and the ACP countries concerned to arrest and bring to justice or extradite perpetrators of genocide;
8. Calls on the EU to step up its humanitarian aid to the region in order to cope with the continuing presence of refugees, and its assistance to the neighbouring countries so as to enable them to help returnees;
9. Calls on all parties to the conflict in the Democratic Republic of Congo to ensure that humanitarian aid organisations have unrestricted and unconditional access to those in need;
10. Deplores the killing in southern Burundi of United Nations personnel on a humanitarian mission, as well as Burundian civilians and soldiers, and stresses the vital need for all parties involved in conflicts in the Great Lakes region to take all steps possible to ensure the safety of those working to provide humanitarian aid there;
11. Re-emphasises the importance of holding, under the auspices of the UN and the OAU, an international conference on peace, security and stability in the Great Lakes Region, to be attended by all the governments of the region;
12. Draws attention to the European Union's duty to support efforts to implement the Lusaka agreement and calls on it to take appropriate political and economic action without delay with a view to ensuring that the agreement is properly implemented;
13. Calls on the Council and the Member States to honour the undertakings they have given with regard to controlling arms exports to the region and preventing the illicit sale of such arms and the trafficking which finances it;
14. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the signatories to the Lusaka agreement, the United Nations Secretary-General and the OAU.

# RESOLUTION<sup>(1)</sup>

## on the situation in Angola

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 to 14 October 1999,
  - having regard to its previous resolutions on Angola,
  - having regard to the EU Declaration of 22 July 1999,
  - having regard to the relevant UN Security Council Resolutions on Angola,
  - having regard to the relevant OAU and SADC resolutions,
- A. deeply deploring the resumption of civil war in Angola for which the responsibility lies largely with Mr Savimbi and his forces, the military actions of which have mainly been targeted at the civilian population and have resulted in the death of and injury to hundreds of people and the displacement of thousands of others, thus provoking an extremely worrying humanitarian situation,
  - B. having regard to the UN Security Council resolutions which blame and condemn Unita for the non-implementation of the Lusaka agreement and for the corresponding worsening of the political and military situation in Angola,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

- C. whereas the only hope for a lasting peace in Angola resides in a political solution involving the full and unconditional implementation of the relevant UN Security Council resolutions,
- D. deeply concerned that, as a consequence of the latest outbreak of hostilities, the number of refugees and displaced persons has risen dramatically, putting at risk the lives and well-being of a large part of the population,
- E. whereas the Angolan population lives in abject poverty despite the plentiful natural resources of the country, which are used to finance the conflict,
1. Condemns firmly the resumption of the war which constitutes a serious setback to the peace process; calls for strict respect to be shown for the Lusaka Protocol and the UN Security Council resolutions on Angola, with particular regard to demilitarisation and the total, immediate and supervised demobilisation of Mr Jonas Savimbi's forces and respect for the Constitution and democratic institutions as the only basis for a fair solution which will enable the people of Angola to live in peace in a democratic regime;
  2. Calls on Mr Savimbi and his forces to cease their military activities and to demonstrate, unequivocally, their will to resume dialogue in good faith with the government of Angola on the basis of the Lusaka protocol and the UN Security Council resolutions, failing which the sanctions already decided by the United Nations should be strengthened; in this connection, calls on the government to respond favourably to any action by Unita which could promote an end to the war;
  3. Calls on the UN and the EU to maintain strong international pressure on Mr Savimbi, and calls on the EU, its Member States and the ACP to cooperate fully with the UN Security Council committee and its two expert panels, particularly in their attempts to gather information, ensure the implementation of all sanctions and strengthen controls on the diamond trade, of which London and Antwerp are world centres;
  4. Calls for the Commission, in collaboration with the Member States, to conduct an investigation into the implementation of sanctions, in particular the conduct of the diamond trade, and urges it to provide support for the work of monitoring implementation of sanctions on Angola's borders;
  5. Welcomes the recent re-establishment of a modest UN presence in Angola and reaffirms its view that a continued UN presence in Angola, including a human rights component, can contribute significantly to national reconciliation, without prejudice to investigations seeking to establish political and criminal responsibility for human rights violations;
  6. Welcomes the agreement signed recently between the government of Angola and the WFP and calls on the Angolan Government and, especially, on Mr Savimbi and his forces to show full respect for human rights and to cooperate with humanitarian organisations in the delivery of emergency relief and guarantee the safety and freedom of movement of their staff, as well as unconditional access to those in need;
  7. Condemns the use of anti-personnel mines in Angola and asks the EU to support the clearance of mines, as an emergency response, particularly in the light of their massive proliferation in the past months;
  8. Calls on the EU Member States, the United Nations and the international community in general to continue to supply humanitarian aid to Angola and asks the Commission to provide the necessary resources to cope with the humanitarian crisis generated by the new exodus of refugees and displaced persons and to support mine clearance operations;
  9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN Security Council, the OAU and Unita.

**RESOLUTION<sup>(1)</sup>****on the situation in Ethiopia and Eritrea**

*The ACP-EU Joint Assembly,*

— meeting in Nassau (Bahamas) from 11 to 14 October 1999,

- A. deploring the continuation of the war between Eritrea and Ethiopia, and whereas the cause of the war is the absence of an agreement over the demarcation of the frontier,
- B. whereas the conflict has resulted in tens of thousands of victims, refugees and evacuees and has inflicted terrible suffering on the civilian populations of both countries,
- C. whereas the populations of both Ethiopia and Eritrea live in miserable conditions in terms of nutrition, health and educational facilities and the war is definitely worsening the prevailing social conditions in the two countries,
- D. whereas the OAU has proposed a framework agreement designed to bring the conflict to an end, an agreement which has been accepted both by the Ethiopian Government and by the Eritrean Government,
- E. whereas the Heads of State and Government of the OAU meeting in Algiers on 12-14 July have approved the arrangements for the implementation of the OAU framework agreement on the settlement of the conflict, and these arrangements have been accepted by both parties,
- F. whereas the OAU presented Technical Arrangements in August 1999, accepted by the Eritrean Government but still to be accepted by the Ethiopian Government,
- G. firmly believing that maximum commitment from the entire international community is needed in order to help re-establish a peace process between the two countries,
  - 1. Condemns the continuation of hostilities between Eritrea and Ethiopia and deeply regrets the heavy loss of human life which has occurred since the outbreak of hostilities between the two countries;
  - 2. Firmly supports the OAU peace package (Framework Agreement, Arrangements for Implementation and Technical Arrangements) which guarantees the peaceful and legal resolution of the conflict;
  - 3. Urges Ethiopia to accept the Technical Arrangements, and both States to end all hostilities, proceed to the signature of a cease-fire agreement and fully implement the OAU peace package;
  - 4. Expresses its full support to the framework agreement and to its arrangements and commends the efforts of the OAU and all those who have supported it to find a peaceful solution to the conflict;
  - 5. Calls on the UN and the OAU to cooperate closely in their common endeavour of ensuring the full implementation of the framework agreement and its arrangements including the deployment of military observers by OAU Member States;
  - 6. Calls on the Council and the EU Member States to be ready to play a part in implementing the OAU's proposal, including the dispatch of a neutral international monitoring force which should be deployed along the border between the two countries;
  - 7. Stresses the role of political forces and civil society in both Ethiopia and Eritrea so as to enable the conflict to be resolved peacefully;
  - 8. Calls on the EU Council to take all necessary measures to prevail on Ethiopia to accept and implement the OAU peace package and to prevent the continued violations of the human rights of ethnic Eritreans living in Ethiopia;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

9. Calls on the international community, and on the European Union in particular, to provide adequate emergency assistance to help all populations displaced by the conflict as well as the victims of the mass expulsions and deportations;

10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the OAU and the United Nations.

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### RESOLUTION<sup>(1)</sup>

#### on Sierra Leone

*The ACP-EU Joint Assembly,*

— meeting in Nassau (Bahamas) from 11 to 14 October 1999,

— having regard to its previous resolutions on Sierra Leone,

— having regard to the EU declaration of 15 July on Sierra Leone,

A. whereas a peace agreement was signed by the Government of Sierra Leone and the RUF representatives in Togo on 7 July 1999,

B. expressing concern at the fact that the peace agreement is not being implemented according to schedule and at the fragility of the reconciliation process,

C. whereas the peace agreement is intended to put an end to a conflict that has caused immense suffering to the people of Sierra Leone, claimed thousands of civilian victims and shocked the international community because of the widespread atrocities committed against women and children,

D. deeply concerned at the large number of refugees and displaced persons in Sierra Leone; whereas in spite of the country's significant natural resources, most of which are used to finance the conflict, the population of Sierra Leone continues to live in conditions of great misery,

E. whereas ensuring a fair and equitable justice system is an essential element for providing Sierra Leone with reconciliation and stability; whereas the perpetrators of human rights violations must be brought to justice,

F. whereas a United Nations peace-keeping force must be established to monitor the implementation of the agreements,

G. whereas a peaceful solution for Sierra Leone can be found only through genuine regional cooperation and action to combat diamond smuggling, which is mostly controlled by the RUF in the eastern provinces, with connections in neighbouring countries,

1. Welcomes the signature of the peace agreement and calls upon all parties to strictly implement the terms of the agreement in order to achieve a lasting peaceful resolution of a conflict which has caused immense suffering to the people of Sierra Leone;

2. Commends all those involved in bringing about this agreement on the role they have played, and in particular the Special Representative of the UN Secretary-General and Ecowas;

3. Urges the Government of Sierra Leone, on the understanding that there can be no peace without justice, to establish a fair judicial system which will enable those responsible for human rights violations to be brought to justice; is of the opinion that sharing power and establishing truly democratic institutions and the rule of law are an essential precondition for national reconciliation;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).



4. Notes the establishment of a Truth and Reconciliation Commission as provided in the peace agreement but believes that peace can be reached only on the basis of accountability of individual perpetrators of grave human rights violations;
5. Calls on the European Union and the United Nations to provide ad hoc programmes for the physical, mental and psychological rehabilitation of children who have participated in armed combat;
6. Calls on the Commission to mobilise the necessary resources in order to provide humanitarian aid in the country and to launch a special programme for the rehabilitation of former child-soldiers and the provision of assistance to amputees;
7. Stresses that without a properly financed rehabilitation programme for ex-fighters and a reconstruction fund for civilians, it will prove difficult to keep the peace in the long term;
8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Secretary-General of the United Nations and the Government of Sierra Leone.

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#### RESOLUTION<sup>(1)</sup>

##### **on the development of mineral resources in the context of the future ACP-EU cooperation agreement and their contribution to sustainable socio-economic development in the ACP countries**

*The ACP-EU Joint Assembly,*

— meeting in Nassau (Bahamas) from 11 to 14 October 1999,

- A. whereas in the majority of the ACP countries mining has potential for development, not only on an industrial scale — which requires substantial investment — but also in the form of small and medium-sized mining operations which generate a variety of economic activities for these countries,
- B. having regard to the extent of the mineral resources of the ACP countries and the key role which mining will have to play in the sustainable economic and social development of most ACP countries,
- C. whereas the sustainable development of the mineral resources of the ACP countries is an attainable objective which particularly calls for more committed and more responsible mining cooperation between the ACP and the EU to enable the ACP countries to take their place in a world economy which has become very open and competitive,
- D. whereas the contribution of ACP-EU mining cooperation to the mining industry in the past ten years has been positive, despite the difficulties encountered,
- E. whereas the handicaps faced by the ACP countries in the mining industry are not insurmountable, in view of the success which has been achieved in other developing regions, as well as in some ACP countries,
- F. welcoming the holding in Brussels on 26 and 27 July 1999 of the first consultation meeting of the ACP ministers for mines, whose conclusions are a useful contribution to the current negotiations,
- G. concerned about the difficulties encountered by the parties with regard to mining in the current negotiations, particularly concerning the transformation of Sysmin into a more complete and effective specific tool tailored to the new and evolving needs of the ACP countries and those of ACP and ACP-EU operators,
- H. concerned about the adverse socio-economic impact of the sale of gold reserves on the open market planned by the central banks of certain EU countries,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

- I. whereas, furthermore, these actions will have an adverse impact on investment in other mining operations, including in countries which are not gold producers and those which are potential producers,
1. Calls on the Commission and the EU Member States, in the negotiations currently under way, to adopt a more positive and constructive approach in dealing with the sector of the mineral resources of the ACP countries and to provide greater and more specific support for it, with a view to facilitating the necessary initiatives to enable the ACP countries to derive full benefit from a mining potential which still remains very under-exploited;
2. Urges the ACP countries to intensify their efforts to develop mining in a sustainable manner and ensure the gradual and competitive integration of their mineral resources industries into the world economy;
3. Calls on the EU Member States to refrain from any action which might compromise the development objectives of the ACP-EU partnership, particularly the disorganised sale of gold reserves on the open market;
4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

# RESOLUTION<sup>(1)</sup>

## on immigration

*The ACP-EU Joint Assembly,*

- meeting in Nassau (Bahamas) from 11 October to 14 October 1999,
- having regard to the Treaty of Amsterdam, and in particular Title IV concerning visa, asylum and immigration policies,
- having regard to the European Parliament resolution on the Communication from the Commission to the Council and the European Parliament on immigration and asylum policies,
- having regard to Article 5 and Annex VI of the Lomé Convention recalling the principle of non-discrimination between EU migrants and third-country migrants,
- having regard to the European Convention of 4 November 1950 on the protection of human rights and fundamental freedoms,
- having regard to the Geneva Convention of 28 July 1951 on the status of refugees, as amended by the New York Protocol of 31 January 1967,
- A. whereas the European Community treaties have economic, social, cultural and political implications for immigrants from ACP countries,
- B. having regard to the degradation of the economies of the ACP countries and the increase in migration,
- C. whereas in certain EU Member States the economic crisis, constantly rising unemployment and difficulties in funding social protection have resulted in a growing rejection of migrant workers,
- D. whereas the European Community has hitherto taken insufficient account of all the various issues concerning migrants in its development policy, particularly as regards its cooperation with the ACP countries,
- E. whereas the broad approach advocated by the EU to the immigration policy is desirable and necessary,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

- F. whereas a European immigration policy should consist of controlling the pressure of migration, managing the migration fluxes, integrating legally-resident third-country nationals, combating illegal migration as well as all forms of discrimination,
  - G. whereas the richest 20 % of the world's population account for 85 % of global wealth, while the poorest 20 % account for only 1,4 %; whereas absolute poverty is the factor which drives people to seek new opportunities in the EU countries,
  - H. whereas millions of people are forced to flee by civil wars, conflicts between states, persecution on political or ethnic grounds or on grounds of belief, terror and the destruction of basic necessities by natural disasters,
  - I. whereas refugee movements and migration initially occur within the same region or the same country and whereas they have a massive impact on the social and economic situation in countries and regions in the immediate vicinity,
  - J. whereas all too often migration continues to be seen as migration by men in search of employment to support their families, who remain behind, while no special attention is paid to the growing proportion and specific situation of immigrant women, although they suffer from particularly poor and insecure working and living conditions,
  - K. whereas the EU Member States have all ratified the Geneva Convention, thus undertaking to protect those fearing persecution on the grounds of race, religion, national or social origin, political opinion or religious belief,
  - L. alarmed and distressed by the number of persons who die seeking refuge in the EU and by the at times inhuman conditions under which those refused asylum are turned back and which in some cases result in their death,
  - M. whereas a clear distinction must be made between asylum policy and immigration policy,
1. Calls for a consistent EU policy on migrants which addresses the root causes of migration, and the human rights situation in countries of origin; considers that such a policy requires an integrated approach by the EU in which home affairs measures will go hand-in-hand with foreign policy, development policy, economic, social, cultural and humanitarian measures;
  2. In this context, invites the EU to draw up an adequate migration policy based on the recommendations of the Social Summit in Copenhagen and to launch a dialogue with ACP partners in order to formulate policy proposals for investing in social policies and the development of a civil society in developing countries; considers that the on-going negotiations of the post-Lomé Convention should urgently address this matter;
  3. Believes that migration matters should be an integral part of the EU development policy and be consistent with policies in such areas as social-economic support, family planning, education and health, employment, poverty eradication and human rights;
  4. Calls on the EU Member States to link humanitarian aid more than hitherto to a lasting commitment, serving to eliminate the causes of refugee movements in the ACP countries;
  5. Reaffirms in this connection the importance of combating poverty as the prime objective of development cooperation in order to be able to provide the poorest sections of the population (particularly in the traditional ACP countries) with the basic necessities by guaranteeing basic social services such as primary education, basic health care, food security and water supply;
  6. Considers that the development of a coherent crisis prevention policy could significantly help to reduce refugee movements arising from violent conflicts;
  7. Believes that the migration pressure should be alleviated via coherent and comprehensive national and regional development plans in co-operation with local communities;

8. Points out the necessity to combat the economic and social causes of migration via a flexible and project-based approach with the involvement of the development agencies, with special attention to the young people in developing countries;
  9. Stresses the special importance of EU aid to returnees and support for rehabilitation measures on the spot, and considers it appropriate that one of the priorities should be to support the demobilisation of military personnel in this context;
  10. Calls on the EU Member States to increase their cooperation with international organisations such as UNHCR and local NGOs in the field of humanitarian aid, conflict resolution strategies and rehabilitation measures on the spot;
  11. Expresses its concern about the alarming situation of ACP migrant workers and encourages negotiations to improve it through cooperation and consultation between the EU and the ACP countries;
  12. Considers it desirable to take appropriate account of the situation of immigrant women in the EU by affording them access to social provision, educational resources and means of communication and protecting them against exploitative terms of employment, particularly in private households or the sex industry;
  13. Reaffirms that anyone who seeks asylum is merely exercising a fundamental right and points out that, in accordance with their international commitments, the EU Member States must ensure that this right is upheld;
  14. Stresses that, in that context, a careful distinction must be drawn between the very different issues of the right to request asylum, in accordance with the Geneva Convention and the 1967 Protocol, and policies on immigration, which must extend to action against illegal immigration and to the integration of legally-resident third-country nationals;
  15. Considers that the legal situation of third-country nationals residing legally in a Member State should be improved and calls for respect for human rights and humane treatment of immigrants whose status is irregular to be guaranteed under all circumstances, particularly in the fields of health and education;
  16. Stresses the importance of developing a coherent and coordinated policy for the repatriation of illegal immigrants in cooperation with developing countries on the readmission of their nationals;
  17. Calls on the EU to face up to its responsibilities and implement a policy which will help the ACP countries to achieve socially and environmentally sustainable development in order to combat migration;
  18. Instructs its Co-Presidents to forward this resolution to the Commission, the ACP-EU Council and the Office of the UN High Commissioner for Refugees.
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**RESOLUTION<sup>(1)</sup>****on the situation in Somalia**

*The ACP-EU Joint Assembly,*

— meeting in Nassau (Bahamas) from 11 to 14 October 1999,

— having regard to its earlier resolutions on the situation in Somalia,

- A. having heard a verbal report by the Organisation of African Unity's observer to the effect that the situation in Somalia is characterised by a lack of political will on the part of the main players and the leaders of the armed factions to work towards a comprehensive national reconciliation process,
- B. noting the efforts made by the OAU standing committee on Somalia, which comes under the auspices of the IGAD member states and includes Egypt, the European Union, the United Nations and the USA,
- C. whereas Somalia remains a State party to the convention on ACP-EU cooperation; whereas, therefore, the Joint Assembly has a duty to monitor developments in that country,
  1. Reaffirms that the sovereignty, unity and territorial integrity of Somalia as a united and indivisible State must be preserved;
  2. Expresses concern at the slow progress made in promoting peace, stability and national reconciliation in Somalia;
  3. Emphasises that the Somalis themselves bear the main responsibility for the restoration of peace in Somalia, and calls on the leaders of all the Somali factions to seek a greater convergence of views and to make a positive response to the efforts being made at regional and international level to achieve peace and national reconciliation in Somalia;
  4. Deplores the resumption of fighting between rival factions in some parts of Somalia and the extremely adverse impact this is having in humanitarian terms and on the civilian population;
  5. Deplores furthermore the growing interference from abroad and the circulation of arms inside the country in defiance of the arms embargo imposed on Somalia under Security Council Resolution 733 (1992), and urges all the parties concerned to comply scrupulously with the terms of that resolution and to refrain from all action likely to lead to a deterioration of the situation in Somalia and hamper efforts to promote peace, stability and national reconciliation in the country;
  6. Welcomes the OAU Standing Committee's efforts, which are being coordinated by Ethiopia, to promote peace and national reconciliation in Somalia;
  7. Appeals to the international community to continue to furnish humanitarian assistance to those in need in Somalia;
  8. Calls on the Joint Bureau to consider sending a fact-finding mission to Somalia to assess the situation on the ground, obtain a commitment from the various parties concerned and submit a report at the earliest opportunity;
  9. Calls on the European Union, the United Nations and the OAU to participate in such a mission;
  10. Decides that the Joint Assembly shall continue to monitor the situation in Somalia;
  11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Secretaries-General of the UN and the OAU.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).

**RESOLUTION<sup>(1)</sup>****on the death of Dr Julius Nyerere**

*The ACP-EU Joint Assembly,*

— meeting in Nassau (Bahamas) from 11 to 14 October 1999,

1. Expresses its deepest sympathy, on the death of Dr Julius Nyerere, to his bereaved family and to the people of Tanzania;
2. Pays tribute to Dr Nyerere's great achievements in leading his people to freedom and establishing the Organisation of African Unity;
3. Salutes in particular his recognition of the importance of education, reflected in the name 'Mwalimu' (Teacher) which was given to him, his contribution to leading Africa into the post-colonial era, and his efforts, continued up to his final illness, to bring lasting peace to the Great Lakes Region;
4. Instructs its Co-Presidents to forward this resolution to the Tanzanian authorities.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 14 October 1999 in Nassau (Bahamas).





**RESOLUTION<sup>(1)</sup>****on the future of the ACP-EU relations**

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
  - having regard to the final report on the future of the ACP-EU relations,
  - having regard to the Partnership Agreement between the ACP countries and the European Community and its Member States concluded in Brussels on 3 February 2000,
  - having regard to its resolutions adopted prior to, and during, the negotiations,
- A. whereas the Commission, the Council and the Heads of State of the ACP countries have called for a genuine and fairer partnership, and the European Parliament voted, almost unanimously, in favour of strengthening ACP-EU cooperation,
- B. whereas the European Parliament must give its assent to the Partnership Agreement,
- C. whereas the Joint Assembly has maintained a clear and unequivocal position on the need for maintaining and strengthening the ACP-EU relationship,
- D. whereas the negotiations were very detailed and covered every area of cooperation, and were preceded by a debate which considered the relevance and objectives of ACP-EU cooperation,
- E. having noted the difference in capacities of the two sides in preparing and pursuing the negotiations,
- F. whereas the pressures felt by developing countries in an increasingly competitive global trading system have led to a widening gap between the poorest and most prosperous countries, in terms of both wealth and access to resources, and a gradual erosion in ACP trade preferences following multilateral trade liberalisation,
- G. whereas it is anticipated that the Agreement will be signed in Suva, the capital of Fiji, on 8 June 2000,
1. Welcomes the signing of the new Agreement establishing ACP-EU cooperation on a new basis, but points at the same time to the profound change in the European attitude, especially where trade is concerned, and the corresponding departure from the 'Lomé spirit', the philosophy that has previously informed the agreements signed to date;
  2. Welcomes an overall agreement, which represents a 20-year contract and embodies a series of instruments for cooperation;
  3. Notes with satisfaction attempts to preserve the uniqueness of the Lomé Convention, with its binding contractual nature, and emphasis on partnership, joint decision-making and mutual benefit;
  4. Welcomes the retention of the geographical framework for ACP-EU cooperation, but believes that this unity must also be preserved at the political level and ensure that a single ACP-EU institutional framework remains in place, especially as regards the continuing geographically united nature of the ACP-EU Joint Assembly over and above the possible 'regionalisation' of ACP-EU cooperation;
  5. Underlines, in relation to the new Agreement, the fact that the Treaty on European Union establishes that the Council and the Commission shall be responsible for ensuring the coherence and consistency of the

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

Union's external activities, but expects the Joint Assembly to play an increasing role; calls on the Commission and Council to introduce mechanisms for ensuring that the Union's policies affecting the ACP countries and the other developing countries are consistent with development goals;

6. Calls on the Council and Commission to do their utmost to make Member States' policies complement the Union's development policy under the Agreement to a greater extent;

7. Welcomes the commitment to work towards honouring the pledges made at UN Conferences held in Rio, Vienna, Cairo, Copenhagen, Beijing, Istanbul and Rome; stresses that economic growth alone does not necessarily meet the objective of poverty alleviation and in order to combat increasing poverty, the commitments undertaken in Rio in 1992 should be implemented;

8. Calls on European governments and the governments of other industrialised nations to keep the solemn promise previously made at a number of key UN conferences to allocate 0,7 % of their GNP to finance the development of the poorest countries;

9. Welcomes the commitment in future cooperation programmes to sound and sustainable development;

10. Emphasises that the joint decision by the ACP-EU partners to undertake to put measures in place to eradicate poverty has major significance and importance, and notes that it is the first time that such a commitment has been incorporated into a binding agreement of this kind;

11. Welcomes the recognition in the Agreement of the need for a participatory approach for civil society and non-governmental organisations; believes that civil society should become one of the main players in the implementation of the new Agreement;

12. Welcomes the fact that civil society will be offered information and consultation on development strategies and policies, as well as access to finances and to involvement in the implementation of development projects and programmes;

13. Regrets that there is still insufficient definition of how the dialogue between those party to the Agreement and the representatives of civil society will be developed and urges the ACP-EU partners to lay down promptly the practical arrangements that will enable civil society to be involved in various fields, and at various stages, of cooperation, including planning;

14. Emphasises the fact that in the Agreement special attention is given to the need for the provision of adequate levels of public spending in social sectors and welcomes references to education and training and to health, sanitation and housing priorities;

15. Welcomes the fact that the new Agreement has a general reference to the rights of the child;

16. Underlines the commitment to the mainstreaming of gender throughout the Agreement and welcomes the adoption of a number of measures designed to strengthen the role and participation of women;

17. Emphasises that the inclusion of a fully-fledged political dimension represents a major innovation in the new Agreement; points to the need for the political dialogue to be established on a formal footing and pursued through periodic top-level meetings between the ACP States and the EU, following the example of the first EU-Africa Summit due shortly to be held in Cairo;

18. Welcomes the inclusion of good governance as a fundamental element in the Agreement, and notes that this corresponds to the position which the Joint Assembly adopted at its meeting in Nassau;

19. Underlines that the parties have undertaken to pursue an active, comprehensive and integrated policy of peace building, conflict prevention and resolution, this being the main challenge of the ACP-EU partnership, in order to provide security and stability for the ACP countries; believes that transparency in the arms trade and a reduction in military expenditure have an essential part to play in the achievement of this goal;

20. Notes with concern that the topic of migration was raised by the European Union at a late stage in the negotiations and acknowledges that the final compromise stated that the EU will negotiate bilateral agreements with individual ACP states, setting out arrangements for the readmission of third country nationals and stateless persons;
21. Calls for the specific ACP-EU cooperation programmes to be used to capitalise on and develop the human and professional resources of ACP citizens, not least to enable ACP immigrants living on European territory to be reintegrated professionally, socially and economically in the countries from which they come;
22. Reaffirms that human dignity is inviolable and maintains that human rights are sacred and inalienable and should be applied without any restrictions whatsoever to all persons on European Union territory;
23. Calls for emigrants who are not Community nationals to be treated equally as regards economic and social rights, and for their civil, cultural, and political rights to be recognised under the terms of the relevant Council of Europe Convention;
24. Draws attention once again to the principle of non-return laid down in the Geneva and Dublin Conventions on the right of asylum and the right of refugees to seek asylum;
25. Welcomes the inclusion of the private sector in the Agreement and, in particular, the support offered to the private sector in ACP countries in order to strengthen its competitiveness;
26. Welcomes the new provisions on regional cooperation which reflect the wishes expressed by the Joint Assembly, and also welcomes the opportunity to set up Regional Joint Parliamentary Assemblies;
27. Expresses its disquiet at the fact that the new ACP-EU Agreement will be subject to World Trade Organisation (WTO) rules and that the time frame will be so short that the ACP States will not be in a proper position to withstand international trading competition; believes that the request to grant a WTO waiver in respect of the new ACP-EU Partnership Agreement should be supported so as to enable preferential treatment to be accorded to the ACP countries;
28. Recognises the difficulties which will be encountered in a number of ACP regions due to the economic and social effects of the HIV/Aids pandemic, and calls on the Council, the Commission, and the ACP States further to intensify their efforts to provide the necessary financial and human resources to pursue programmes aimed at eradicating the pandemic, taking into account prevention policies and the whole range of social and economic problems associated with Aids, in particular the situation of children orphaned as a result of the pandemic;
29. Believes that the resources earmarked for measures to combat the spread of malaria should be increased greatly as a matter of priority under the Partnership Agreement and calls on the Commission substantially to expand the capacity of the ENVI and AMVIN programmes;
30. Calls on the EU and ACP governments to develop a comprehensive strategy for improved access to essential drugs and to monitor the impact of trade agreements on public health in developing countries;
31. Welcomes the increased flexibility introduced in the deployment and utilisation of EDF funds, but expresses anxiety at the same time at the decision by European governments to cut funding for ACP-EU cooperation in real terms, even though unused resources remaining from some of the previous EDFs have been added to the current overall ACP-EU budget;
32. Notes with concern the fact that reference is not made to special treatment for landlocked, island and vulnerable States in the determination of eligibility for support under the new provisions on export earnings/losses;
33. Notes with concern that the provisions on fluctuations in commodity exports fail to make clear the assistance which the Community may provide, and calls on the Commission to indicate how it intends to help those countries whose economies are dependent on commodities; calls on the European Parliament to refrain from giving its assent to the new Agreement until this matter has been resolved;

34. Welcomes the strengthening of the role of the Joint Assembly, now known as the Joint Parliamentary Assembly, which will have responsibility, inter alia, for fostering democratic processes;
35. Stresses that the credibility of the new ACP-EU policy dialogue in the framework of the new Partnership Agreement requires a democratic debate on the development and trade policies of the EU, its Member States and the ACP countries;
36. Welcomes the negotiators' efforts to make the Agreement more readable and more readily understandable;
37. Deeply regrets that the issue of migration was allowed to threaten the whole Agreement and that certain Member States risked jeopardising the negotiations;
38. Calls on the Commission to refrain from putting pressure on ACP States by attaching stipulations on migration to any other agreements under discussion;
39. Stresses the importance of the commitment to target cooperation on improving access for women to the resources required for the full exercise of their fundamental rights;
40. Urges that cooperation be targeted on promoting the fulfilment of children's rights, in particular basic education, health and the participation of children; in this respect, ACP States should be given the option to choose the arrangement that best serves their development needs;
41. Calls on the parties to the Agreement to make an effort, in accordance with the Jomtien and Copenhagen Conferences, to develop programmes guaranteeing universal access to basic education and vocational training at secondary level for both boys and girls;
42. Urges the new ACP-EU dialogue to prioritise reform of military expenditure and the security sector;
43. Urges ratification of the new optional protocol on child soldiers by all States, without delay, and calls on both parties to proceed towards making 18 the minimum age for recruitment and participation in armed conflicts;
44. Calls for all available options for future EU-ACP trade relations to be explored in the light of the outcome of the 2006 review on the progress achieved in preparing ACP economies for reciprocity, and urges that that review be based on an in-depth analysis of the impact of the proposals on the achievement of poverty eradication and sustainable development;
45. Calls for future trade arrangements to broaden access to the EU market for ACP countries, particularly for products where ACP countries have, or can acquire, a competitive advantage;
46. Calls on the EU and ACP countries to undertake to conduct case studies on the impact of trade liberalisation on a limited number of ACP countries, in order to inform ongoing discussion on a new trade agreement;
47. Stresses the importance, in the discussion of free trade, of improving the capacity of ACP economies and enterprises to compete with EU enterprises;
48. Calls for all efforts to enhance capacity and develop competitiveness in ACP economies to be monitored, and for progress in this regard to be a determining factor when drawing up timetables for individual ACP countries and regions to achieve reciprocity;
49. Recognises that the emerging information economy — underpinned by the rapid development of ICT — offers good opportunities for developing countries to integrate into the global economy, advance human development, and bypass certain stages in the modernisation process; believes that such opportunities can only be put to good use through massive capacity building to provide the necessary infrastructure, institutions, educational systems, etc. and that the European Union must assume a key role in this context;

50. Calls for progress towards meeting poverty eradication targets through the deployment of EDF funds to be assessed in the joint annual reports by the national authorising officers and Commission Delegates in individual ACP countries and, if need be, in ACP regions;
51. Calls for the submission of these annual reports to the European Parliament, the Joint Assembly and the national parliaments of each ACP country, in order to facilitate debate on the utilisation and deployment of EDF funds, and, if possible, the submission of regional development reports to African regions, the Caribbean countries and the Pacific ACP States;
52. Calls on the Commission to make special provision for ACP States with are LLDCs and for vulnerable island and landlocked ACP States when establishing future allocations of financial and technical cooperation resources;
53. Restates its firm belief that the WTO rules need to be revised in order to take better account of the particular needs of the poorest countries, and in order to take account of the potential impact of those rules on vulnerable groups, such as women and children;
54. Urges the European Union's representatives to put development issues at the heart of discussions at the next international trade negotiations;
55. Urges the creation of effective mechanisms for monitoring the exercise of the discretionary powers given to the Commission under the new arrangements;
56. Calls for the direct involvement of the Joint Assembly in monitoring the ongoing discussions and deliberations;
57. Asks the Commission and the representatives of the ACP countries to continue to pursue the objectives defined in the Agreement so as to achieve results that are genuinely of benefit to both sides;
58. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the European Parliament and the parliaments of the ACP countries.

#### INTERIM RESOLUTION<sup>(1)</sup>

##### **on the use of renewable energy sources in the ACP countries**

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
- having regard to Title VII — energy development — of the Lomé IV Convention, where the European Community and the ACP States recognise the mutual benefits of cooperation in energy and identify increased use of alternative, new and renewable energy sources as one of the main objectives of energy development,
- having regard to the new Partnership Agreement between the ACP States and the European Community and its Member States, and especially to Article 32 (2) thereof, where both sides agree on cooperation aimed at supporting specific measures and schemes addressing sustainable management issues, such as renewable energy sources, notably different forms of solar energy and energy efficiency,
- having regard to Article 57 of the new Partnership Agreement, where the responsibilities are established for defining and adopting the objectives and priorities on which the Indicative Programmes are based,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

- having regard to its resolution on climate change and small island developing states in the context of the ACP-EU cooperation framework<sup>(1)</sup>,
- having regard to the interim resolution of the Working Group on the use of renewable energy sources in ACP countries,
- A. whereas primary energy demand in ACP and other developing countries will increase from 2 500 Mtoe in 1990 to approx. 7 300 Mtoe in 2020, in particular due to rapid population growth (2,6 % annually in Africa from 1990 to 2010),
- B. whereas two thirds of the population in Africa live in rural areas without access to modern energy services, fuels and the electricity grid,
- C. whereas in 1990 only 8 % of rural people and 38 % of urban dwellers in sub-Saharan Africa had electricity connections,
- D. whereas small island ACP States and enclaves or territories with an inadequate infrastructure within ACP States are heavily dependent on imported fossil fuels for the majority of their rapidly growing energy needs for transport and electricity production, and on inefficient biomass for their non-commercial energy consumption,
- E. whereas petroleum is imported in the small island ACP States at some of the highest prices in the world, in the Pacific region for example at 200-300 % of international levels,
- F. whereas energy and energy services have not been sufficiently integrated so far as a horizontal key element in programmes aimed at reducing poverty,
- G. whereas sub-Saharan Africa has enormous diverse renewable energy resources, which remain largely unexploited so far, whereas many ACP small island states have abundant resources of alternative renewable energies, such as wind and solar,
- H. whereas modern renewable energy technologies can be price-efficient and be competitive with conventional energy sources in a favourable legal and regulatory environment,
- I. whereas the largest potentials for meeting the energy needs of the poor in rural areas with the least possible environmental impact are in new renewable energy technologies,
- J. whereas the traditional use of biomass (fuelwood) for cooking in rural areas of ACP States is often inefficient, and leads to health problems and environmental damage,
- K. whereas energy has in general not been identified as a priority in Indicative Programmes of ACP States and whereas energy projects have so far played only a marginal role in the implementation of the 7th and 8th European Development Funds (EDF) in spite of the emphasis put on energy cooperation in the Lomé IV Convention,
- L. whereas new National Indicative Programmes will be elaborated under the new Partnership Agreement,
- M. whereas the EU has fixed the objective of meeting at least 12 % of its energy requirements from renewable energy sources, but has still to present a detailed plan on how this can be achieved;
- 1. Emphasises that ACP States face an extraordinary economic and political challenge to meet the growing demand for energy, and underlines that enormous investment in energy infrastructure and services will be needed;

<sup>(1)</sup> OJ C 271, 24.9.1999, pp. 30-35.

2. Emphasises that energy must be considered as a cross-cutting issue with a high development potential, especially in view of poverty reduction, as availability of energy carriers and services is imperative for the satisfaction of basic needs, such as access to food, drinking water, domestic lighting and cooking, health services and education;
3. Calls on the ACP States and the Commission to perceive energy as an important instrument for development and calls therefore for the elaboration of a coherent and sound energy strategy in ACP States, based on the concept of sustainable provision of energy services, aimed at integrating social and economic needs of users while minimising the environmental impact of energy use;
4. Calls on the Commission and the Member States of the EU to integrate the aspect of sustainable energy provision in all development and cooperation programmes and projects;
5. Underlines that the satisfaction of energy needs is especially urgent in rural areas remote from the grid, and points out that the lack of economic and social prospects in rural areas is related to the lack of an adequate energy supply, resulting in rapidly growing urbanisation;
6. Emphasises that the small scale and modular nature of new and emerging renewable energy technologies, such as solar PV systems, small-scale off-grid wind turbines, mini- or micro-hydro systems or modern biomass-based generators, is often more appropriate to the level and structure of demand than conventional alternatives, in particular in rural areas;
7. Notes that increased use of renewable energy sources would reduce dependence on expensive imports of fossil fuels and help to improve balances of payments; stresses that the implementation of systems of new and renewable energy technologies can have a significant positive impact on job creation and employment;
8. Emphasises the decisive role of science and technology and the need for building indigenous capacity for development and maintenance of modern energy technologies in ACP States;
9. Calls on the ACP States to examine the scope for overcoming existing obstacles to the use of renewable energy sources, such as the lack of an adequate legal, fiscal or regulatory framework, and the reasons for the lack of private foreign investment;
10. Calls on the Commission to examine the scope for creating new, appropriate finance mechanisms for renewable energy projects, in order to overcome the lack of financial resources for credit financing of the high up-front costs of renewable energy technologies;
11. Calls on the Commission and the ACP States to prepare a campaign for adequate information on the use of renewable energy sources in ACP States;
12. Calls on the Commission and the ACP countries to strengthen existing systems for mutual learning and capacity building with special emphasis on technology transfer, qualification schemes and the development of human resources;
13. Calls on the ACP States to define energy, including the promotion of the use of renewable energy sources, where appropriate, as a priority in the new Indicative Programmes, taking into account the scope for regional cooperation;
14. Invites its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.



**RESOLUTION<sup>(1)</sup>****on the situation in Angola**

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
  - having regard to its previous resolutions on Angola,
  - having regard to the statement on Angola which the Presidency made on 17 February 2000 on behalf of the European Union,
  - having regard to the resolutions of the UN Security Council,
  - having regard to the resolutions on this subject by the OAU and the SADC,
- A. having regard to the successive UN Security Council resolutions which blame and condemn UNITA for the non-implementation of the Lusaka Protocol and for the corresponding worsening of the political, military and humanitarian situation in Angola,
- B. alarmed by the fact that the UNITA has renewed its military operations and extended them to some border areas of Namibia and Zambia,
- C. whereas in spite of the country's significant natural resources, part of which was used to finance the conflict, the population in Angola continues to live in conditions of great misery,
- D. whereas no lasting settlement can be found to the Angola conflict as long as the massive diamond-smuggling operations which fund UNITA are largely used for arms procurement,
- E. concerned at the problem of mine clearance and the laying of further mines, activities which have cost many human lives and left an unknown number of people in the country mutilated, displaced and seeking refuge,
- F. having regard to the substance of the report drawn up by Mr Fowler (Chairman of the UN Committee responsible for the sanctions imposed on Angola),
- G. whereas a lasting peace for the Angolan people will only be achieved through the complete disarmament of Jonas Savimbi's UNITA and through the strict enforcement of the sanctions imposed by the UN Security Council,
- H. expressing concern at the freedom of the press in Angola and having regard to the recent public debate organised by the Angolan Parliament on this issue,
- I. having regard to the Angolan Government's recent announcement concerning the need for suitable conditions to be created in order to enable parliamentary and presidential elections to be held as soon as possible,
1. Strongly condemns the new outbreak of violence by UNITA and its leadership under Mr Savimbi, which has failed to demilitarise its forces and facilitate the extension of state administration throughout the national territory, in defiance of pressing demands of the Security Council;
2. Calls on the UN and the EU to maintain strong international pressure on UNITA's leadership, particularly through implementation and tightening of existing UN sanctions against UNITA;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).



3. Encourages all Angolan political forces and members of civil society to unite their efforts to ban violence and consolidate a peaceful and democratic Angola that dedicates its main energies to the welfare of its people;
4. Is of the opinion that peace and improving democratic institutions are an essential element to achieve national reconciliation;
5. Reiterates its call for upgrading the monitoring and the implementation of sanctions against diamond-smuggling operations by UNITA and African and European traders;
6. Calls on the Angolan Government to set up a reliable and transparent certification system on diamonds;
7. Condemns the increase in mine laying activity in Angola, a country which has been a major focus of the EU mine clearance efforts;
8. Welcomes the adoption by the Angolan National Assembly of a resolution concerning the agreements relating to the opening in Angola of a UN office (the UNOA) responsible for monitoring the humanitarian situation and concerning respect for human rights in Angola, and urges the Angolan Government to support the running of that office;
9. Calls on both UNITA and the government also to fully cooperate with the United Nations and humanitarian organisations in their efforts to provide assistance and relief to all those in need in the country;
10. Calls on the EU Member States and all countries in general to increase, as a matter of urgency, the amount of humanitarian aid they supply to Angola, as requested by the UN Secretary-General;
11. Welcomes the holding of the recent public debate within the Angolan National Assembly on freedom of expression and the freedom of the press in Angola and urges the government of Angola to improve the conditions for freedom of the press in the country;
12. Encourages the government to pursue its financial, economic and legal reforms with a view to strengthening democracy, the rule of law, transparency and good governance;
13. Welcomes the recent announcement by the President of Angola concerning the holding of parliamentary and presidential elections;
14. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the OAU and the government of Angola.

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#### RESOLUTION<sup>(1)</sup>

##### **on the situation in Guinea-Bissau**

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
- having regard to its previous resolutions on the situation in Guinea-Bissau,
- having regard to the statement of 27 January 2000 on Guinea-Bissau by the Council Presidency on behalf of the European Union,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

- having regard to the resolution adopted by the European Parliament on 17 February 2000 on coherence between cooperation policy and other EU policies,
- A. mindful of the latest developments in the situation in Guinea-Bissau, and the recent presidential and parliamentary elections in particular,
- B. whereas Guinea-Bissau is one of the countries in which economic growth is weakest and is one of the poorest countries in the world,
1. Hopes that, through consolidation of the economy of the country and better living conditions for its people, this new phase will enable headway to be made in consolidating peace and economic and social progress in Guinea-Bissau;
2. Acknowledges that, whatever the course of developments in the country, the people of Guinea-Bissau must decide their future alone, free of foreign interference;
3. Appeals for active and impartial solidarity in support of socio-economic recovery in Guinea-Bissau with due regard for its sovereignty, in particular to restore and enhance its infrastructure and develop its agriculture;
4. Reiterates the importance of a resumption of development aid to Guinea-Bissau from the European Union and its Member States;
5. Appeals for the foreign debt of Guinea-Bissau, which is a genuine barrier to its development, to be cancelled as part of the G-7's HIPC Initiative;
6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the OAU and the President of the National People's Assembly of Guinea-Bissau.
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## RESOLUTION<sup>(1)</sup>

### on the situation in the Great Lakes Region

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
- recalling its previous resolutions on the situation in the Great Lakes Region and in the Democratic Republic of Congo in particular,
- recalling the EU Presidency Declaration of 26 November 1999,
- A. whereas an armed conflict has been raging in the DRC over the past 18 months, with the active military involvement of six neighbouring countries, posing a serious threat to the stability of the region and causing further death and destruction as well as a new exodus of refugees,
- B. whereas the Lusaka cease-fire agreement, signed in July 1999 by the six countries and the different rebel groups involved in this conflict, has been violated with impunity by all sides ever since,
- C. whereas the United Nations Security Council held a special session on 26 January 2000 to consider the situation in the DRC, and is now considering the deployment of 5 500 troops to monitor the implementation of the Lusaka agreement,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

- D. whereas the Lusaka Agreement includes a pledge from neighbouring countries to withdraw their forces as well as a promise from all sides to engage in a national dialogue on Congo's future with the participation of representatives of civil society and to secure Congo's borders in order to guarantee the safety of neighbouring countries,
- E. whereas the obstacles to the implementation of the Lusaka Agreement are enormous given the grave instability and ethnic tensions that persist in the region and the continuing presence of refugees across the region, which has resulted in a tremendous humanitarian crisis,
- F. whereas respect for human rights and democratic institutions must be an essential part of the reconciliation process in the region,
1. Deplores the delays in the implementation of the Lusaka Agreement and strongly condemns the continuing human rights violations, summary executions, acts of torture, harassment and rape, ethnic propaganda, incitements to ethnic violence and the enlistment of children as soldiers;
  2. Reaffirms its commitment to the Lusaka Agreement, which offers the only realistic prospect of lasting peace and security in the Great Lakes and is crucial for the return and reintegration of refugees and displaced people into their countries of origin;
  3. Calls on all parties to the conflict to show the necessary political will and proceed immediately with implementation of the Lusaka Agreement, and to refrain from any declaration or action that could jeopardise the peace process;
  4. Welcomes in this context the special session of the UN Security Council and urges it to authorise without delay the initial deployment of 5 500 UN troops to monitor the implementation of the Lusaka Agreement, according to the proposal of its Secretary-General, which was supported by all Heads of State and delegations present at this special session;
  5. Reaffirms the territorial integrity and national sovereignty of the Democratic Republic of Congo, including over its natural resources, in accordance with the principles of the Charters of the United Nations and the OAU; in this regard reiterates its call for the immediate cessation of hostilities and the orderly withdrawal of all foreign forces from the territory of the DRC in accordance with the Lusaka Agreement, and for the security of the borders of neighbouring countries to be guaranteed;
  6. Calls on all Congolese signatories to the Agreement to engage immediately in the national dialogue on Congo's future, together with representatives of civil society; to that end calls on the DRC authorities to release without delay all political prisoners and to allow activities by political parties in order to prepare the election;
  7. Calls on all signatories to the Lusaka Agreement to provide assurances of safety, security and freedom of movement of all UN and associated personnel, and stresses that such a climate of cooperation is an essential prerequisite for the success of any UN operation;
  8. Calls for an international inquiry into all the massacres and other human rights violations perpetrated on DRC territory in order to identify and bring to justice those responsible;
  9. Welcomes the recent designation of the former President of Botswana, Sir Ketumile Masire, as the Facilitator of the Inter-Congolese Dialogue as provided for by the Lusaka Agreement;
  10. Draws attention to the European Union's duty to support efforts to implement the Lusaka Agreement and calls on it to take appropriate political and logistical action without delay, with a view to ensuring that the Agreement is properly implemented;
  11. Calls on the Council and the Member States to honour the undertakings they have given with regard to controlling arms exports to the region and preventing the illicit sale of such arms and the trafficking which finances it;

12. Urges the EU to step up its humanitarian aid to the region to cope with the continuing presence of refugees, and its support to the neighbouring countries so as to enable them to help returnees;

13. Instructs its Co-Presidents to forward this resolution to the signatories to the Lusaka Agreement, the ACP-EU Council, the Commission, the UN Secretary-General, the OAU, and the governments of South Africa, Zambia and Tanzania.

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## RESOLUTION<sup>(1)</sup>

### on the situation in Somalia

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. whereas Somalia has been ravaged by civil war for the past decade, during which the population has endured appalling hardship,
  - B. having regard to the persistence in Somalia of a serious political, socio-economic and humanitarian situation calling for the fullest attention and commitment from the international community,
  - C. whereas, although no final agreements have yet been reached permitting the country's political and institutional reconstruction, there have been numerous peace talks over recent months,
  - D. welcoming in particular the recent peace initiative sponsored by President Guelleh of Djibouti, which received the full backing of the seventh Summit of Heads of State and Government of IGAD, meeting in Djibouti on 26 November 1999,
  - E. whereas this peace initiative comes in the wake of the meeting of the Committee on Somalia of the IGAD Partners Forum held in Rome on 19-20 October 1999,
  - F. deploring the failure to date to create the conditions for full membership of Lomé IV and access to the resources of the Seventh and Eighth EDFs for Somalia,
- 1. Fully supports the peace plan put forward by the President of Djibouti and urges the leaders of all the Somali factions to cooperate with the efforts to encourage the search for a lasting solution stemming from a global peace agreement which serves to restore stability and a central government that can represent the country in negotiations and sign international agreements on its behalf;
  - 2. Calls on the international community, the OAU and the European Union to give full political and moral support, together with the financial, material and technical assistance required to ensure the success of the IGAD peace initiative;
  - 3. Fully supports the conclusions of the IGAD Partners Forum meeting in Rome, in particular its approach in favour of the establishment of regional governance structures based on participatory processes with full involvement of civil society, which would provide a foundation for a future national government and preserve the sovereignty and unity of Somalia;
  - 4. Calls on the EU to implement aid and rehabilitation programmes in Somalia, in particular through NGOs and local communities, in order to address a particularly alarming humanitarian situation;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

5. Reiterates its calls on the ACP-EU Council to propose a legal instrument to enable Somalia to gain access to the resources of the Seventh and Eighth EDFs, despite the absence of national authorities empowered to ratify the Fourth Lome Convention;
6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the governments of IGAD and the OAU.

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### RESOLUTION<sup>(1)</sup>

#### on the current state of negotiations between the EU and South Africa

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
  - having regard to previous resolutions on South Africa and on the state of bilateral negotiations on future relations between South Africa and the European Union,
- A. recalling the negotiations pursued by the European Union and South Africa, which are designed to lead to the creation of a free-trade area in the context of a bilateral trade, cooperation and development agreement,
  - B. regretting that the dispute over the protection of certain traditional names in the framework of the agreement on wine and spirits had delayed provisional implementation of the global agreement on trade and development cooperation foreseen for January 2000,
  - C. whereas the EU and South Africa agreed to resume negotiations on wine and spirits in March with a view to concluding an agreement on 1 June for entry into force on 1 September 2000,
  - D. welcoming the agreement between the EU and South Africa to pursue provisional implementation of the global trade cooperation and development agreement to guarantee correct application of its provisions,
  - E. mindful of the important implications the outcome of the negotiations will have for peace and stability, job creation and sustainable development in South Africa and the Southern African region,
  - F. recalling that agreement reached between South Africa and the EU will have important consequences for South Africa's neighbours in both the Southern African Customs Union (SACU) and the Southern African Development Community (SADC),
1. Welcomes the agreement reached between the EU and South Africa to resume negotiation on wine and spirits in March with a view to concluding an agreement on 1 June for entry into force on 1 September 2000
  2. Urges the negotiating parties to come to a rapid and equitable agreement on the issues of wine and spirits in order to meet the new deadline of 1 June 2000 for the conclusion of the negotiations;
  3. Urges the Government of South Africa to continue with its commitment to prioritise the fight against crime in order to improve tourism and investments, which are so important for furthering the development of the country;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

4. Calls on the Commission to ensure that South Africa's development needs are taken into account in line with its long-standing commitment to assist the new South Africa;
5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Government of South Africa.

### RESOLUTION<sup>(1)</sup>

#### on the ongoing ethnic tensions in Solomon Islands

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. referring to the ongoing ethnic tensions which started in October 1998 between the people of Guadalcanal and Malaita and which have resulted in loss of lives, properties and serious violations of basic human rights,
  - B. recognising that at the request of the Government of Solomon Islands, the Commonwealth Secretary-General has deployed a Special Envoy to broker a peace deal, resulting in the signing by both parties of the Honiara Peace Accord in June 1999 and the Panatina Agreement in August 1999,
  - C. recognising also the peacekeeping role and mandates of the then Commonwealth Multinational Police Peace Monitoring Group (CMPPMG) and now Commonwealth Multinational Police Assistance Group (CMPAG), comprising officers from Fiji and Vanuatu on Guadalcanal, and financial assistance provided by the Governments of Australia, New Zealand and the United Kingdom to maintain such a force,
  - D. noting that the implementation of the Honiara Peace Accord and the Panatina Peace Agreement has not been fully complied with as both sides accuse each other of violations,
  - E. noting further the negative impact of the ethnic tensions on the delivery of basic social services such as education and health services as resources have been diverted to contain the situation,
  - F. referring to Article 5 of the revised Lomé Convention in which contracting parties, inter alia, reiterate their deep attachment to human dignity and human rights,
1. Expresses its deep concern at the continuing ethnic tension in Solomon Islands and the negative impact it has on basic and essential services;
  2. Calls on all parties involved to cooperate with the Government of Solomon Islands and to honour the terms of the Honiara Peace Accord and the Panatina Agreement;
  3. Resolves to send a joint mission of the ACP-EU Bureau to Solomon Islands for closer deliberations with the task of producing a report to the Assembly;
  4. Urges the ACP-EU Bureau and the European institutions concerned to give priority to organising the mission;
  5. Calls on the conflicting parties to seize the mission as a catalyst for renewed dialogue, and therefore to facilitate the work of the mission so that participants will be able to get a complete picture of the humanitarian situation and the conflicting interests;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission, the Governments of Solomon Islands, Australia, Fiji, Vanuatu, New Zealand and the United Kingdom, and the Commonwealth Secretariat.

## RESOLUTION<sup>(1)</sup>

### on the situation in Austria

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
- having regard to Article 6 of the Treaty on European Union, which recalls the principles of freedom, democracy and respect for human rights as the foundation for a modern, democratic, open and tolerant Europe,
- having regard to Article 7 of the Treaty on European Union whereby certain rights of a member of the Union may be suspended in the event of a serious and persistent breach of the principles mentioned in Article 6,
- having regard to the principles recognised in the European Convention for the Protection of Human Rights,
- having regard to the result of the legislative elections in Austria on 3 October 1999 and the proposal of 1 February 2000 to establish a coalition government between the ÖVP and the FPÖ,
- having regard to the statement made by the Portuguese Presidency on behalf of 14 Heads of State and Government on 31 January 2000,
- having regard to the statement made by the Commission on 1 February 2000,
- A. whereas the objectives of peace and reconciliation have, in the aftermath of the Second World War, led to the emergence and achievement of the political project of the European Union,
- B. having regard to the very strict conditions imposed on candidate states as laid down in the conclusions of the European Council of Copenhagen in June 1993, according to which candidate states must meet political criteria on the existence of stable institutions guaranteeing democracy, primacy of the rule of law, human rights and respect for and protection of minorities,
- C. whereas the EU cannot demand of candidate states standards which are not seen to apply with equal force to Member States,
- D. insisting on the promotion and defence of European democratic values on the part of the EU and its institutions and recognising the integrity of the democratic rights and constitutional prerogatives of the Austrian people and state,
- E. whereas European Union and African, Caribbean and Pacific States represented in this Joint Assembly are linked by our joint commitment to universal human rights, and to combating the scourge of racism and xenophobia wherever it is found;

1. Condemns all forms of political extremism, whether on the left or on the right, and condemns in particular the insulting, xenophobic, racist and deeply anti-European statements issued by the leader of the Austrian Freedom Party, Jörg Haider, over many years;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

2. Underlines that the admission of the FPÖ into a coalition government should not legitimise the extreme right in Europe;
3. Believes that such sentiments can play no part in the evolution of the political relations between Austria and the EU and in particular alerts Mr Schüssel, as leader of ÖVP, to his profound political responsibility to ensure that any government which he might lead must respect the spirit and the letter of the fundamental principles of the Treaty;
4. Welcomes the timely political intent of the statement of the Portuguese Presidency in so far as it reiterates Member States' common concern to defend common European values as an act of necessary heightened vigilance;
5. Trusts in the large majority of the Austrian people who did not vote for the FPÖ, and calls on the Council and Commission to give their full support to activities in Austria organised to counter racist, xenophobic and anti-immigrant views;
6. Calls on the Commission and the Council, together with Parliament, to monitor developments, especially regarding racism and xenophobia in Austria and throughout Europe;
7. Calls on the Council and Commission to be prepared, in the event of the existence of a serious and persistent breach by whatever Member State of principles mentioned in Article 6(1) of the Treaty on European Union, to take action under Article 7 of this Treaty and, following Parliament's assent, to suspend that State's rights deriving from the application of this Treaty;
8. Rejects any attempts by extremist political parties in Europe to generate wildly inaccurate fears of immigration, which are not borne out by reality as understood by ACP States, and which can only fuel racism against ACP nationals who enjoy European citizenship or legal residence in the European Union;
9. Consequently, calls on the European Commission and Council to strengthen actions for non-discrimination on the basis of Article 13 of the Treaty, to bring forward proposals under Article 12 for the protection of third country nationals in the European Union, to raise awareness in the European population about the plight of bona fide immigration and asylum seekers, and to ensure that respect for human rights and international obligations under the Geneva Convention underpin all the Union's activities;
10. Instructs its Co-Presidents to forward this resolution to the Austrian President and Government, the ACP-EU Council and the Commission.

## RESOLUTION<sup>(1)</sup>

### on the severe weather in Mozambique

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. having regard to the serious flooding and cyclones which have recently devastated various parts of Mozambique, making 25 % of the population homeless,
- B. whereas the severe weather has caused the destruction of nearly 70 000 hectares of crops (maize and rice in particular) and the loss of tens of thousands of cattle and thousands of dwellings, and has led to major difficulties relating to the supply of food and drinking water to the people affected,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).



- C. having regard to the enormous social, economic and health problems which have been caused (and which may be aggravated by the present severe weather and the severe weather forecast) and to the weakness of Mozambique's economy, which will prevent the current emergency from being dealt with promptly and in an appropriate fashion,
- D. having regard to the international appeal for emergency aid from the Mozambican Government and the UN Coordinating Office for Humanitarian Affairs,
1. Expresses its support for all persons affected;
  2. Calls on the Commission, the EU Member States and the ACP States to grant emergency aid in order to help the Mozambican authorities respond to the needs of the people, put right the damage caused and allow the people affected to be rehoused;
  3. Welcomes the announcement on debt relief by certain Member States and other industrialised nations, but calls on the Member States and the Commission to cancel Mozambique's bilateral and Community external debt in full;
  4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Government of Mozambique.

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**RESOLUTION<sup>(1)</sup>****on Cuba's accession to the new ACP-EU agreement**

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
  - having regard to the decision of the ACP Council of Ministers of 1 February 2000 supporting the inclusion of Cuba as an ACP country,
  - having regard to the Santo Domingo Declaration of 26 November 1999, in which the heads of state and government of the ACP countries informed Cariforum of their support for the inclusion of Cuba within the ACP Group,
  - having regard to the European Parliament resolutions on cooperation with Cuba,
- A. mindful of the links which Cuba maintains with the ACP countries on the one hand, and with the Member States of the European Union on the other,
  - B. whereas Cuba is currently the only country in Latin America and the Caribbean not to have concluded a framework agreement with the European Union,
  - C. whereas, nonetheless, Cuba is a recipient of EU aid; whereas the EU and Cuba enjoy smooth diplomatic and trade relations,
  - D. having regard to the interest expressed by the Cuban Government in signing the Partnership Agreement between the EU and the ACP countries which is to replace the Lomé Convention,
  - E. whereas the prospects for the rapid accession of Cuba to the new ACP-EU agreement can only encourage the greater economic and political openness required in that country,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

1. Supports Cuba's application to accede to the new ACP-EU Partnership Agreement provided that, just like any other signatory country, Cuba undertakes to comply with all the objectives and principles laid down by the Convention, and hopes that Cuba will be able to sign the agreement at the forthcoming signing ceremony;
2. Welcomes the decision of the ACP Council of Ministers to give a favourable response to Cuba's application to accede to the new ACP-EU Partnership Agreement;
3. Calls on the Council and the Commission to support the said application and to open negotiations enabling Cuba to accede fully to the ACP-EU agreement;
4. Calls on the Commission to refrain from reducing the total amount of the global humanitarian aid plan for the Cuban people or postponing its implementation and to step up development cooperation from the lines relating to co-financing for NGOs, the environment, food security and aid, and decentralised cooperation;
5. Calls on the Commission to prepare to open a delegation in Cuba in the near future;
6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Cuban Government.

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#### RESOLUTION<sup>(1)</sup>

##### on the question of Belize

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20-23 March 2000,

— having considered the question of Belize,

- A. recalling United Nations General Assembly Resolution 35/20 of 11 November 1980, which reaffirmed the inalienable right of the people of Belize to self-determination, independence and territorial integrity and called on all parties concerned to respect that right,
- B. welcoming the fact that in 1991 the Republic of Guatemala recognised the independence and sovereignty of Belize,
- C. alarmed at the recent reactivation of the territorial claim by Guatemala, which now claims more than 12 000 square kilometres, or more than half of Belize's land area,
- D. deeply disturbed that despite the fact that Guatemala has stated categorically that it will not resort to the threat or use of force to pursue its claim, on 24 February 2000 elements of the Guatemalan Armed Forces violated the territorial integrity of Belize, unlawfully entered Belizean territory, forced three members of the Belize Defence Force and one member of the Police Department to cross over into Guatemalan territory and then illegally held them prisoner for over a week,
- E. especially worried by the fact that this incident occurred even as the delegates of both governments were gathered at Miami, Florida, USA, in preparation for a meeting to chart a course for the amicable settlement of their differences,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

- F. concerned at the action of the Guatemalan Ministry of Foreign Affairs in expelling a Belizean ambassador from Guatemala on 7 March 2000, alleging that he had unlawfully removed the kidnapped persons from Guatemala, although in a letter of 3 March to the Secretary-General of the Organisation of American States (OAS) the Foreign Minister of Guatemala had stated without qualification that the men in question had been judicially processed and granted their freedom,
1. Declares its unequivocal support for the sovereignty, independence and territorial integrity of Belize in accordance with its long-established and internationally recognised borders;
  2. Condemns the action of the Guatemalan Armed Forces in invading Belize's territory and unlawfully kidnapping four members of Belize's security forces;
  3. Expresses concern at the action of the Guatemalan Government in expelling the Belizean ambassador;
  4. Calls upon the Government of Guatemala to ensure that such actions are never repeated;
  5. Welcomes the fact that technical-level meetings between the two countries were held in Washington DC, USA, on 14 March 2000, in the presence of the Secretary-General of the OAS;
  6. Calls upon both governments to continue their discussions to put into effect measures that will ease tensions along their border, and to establish a process for the early and definitive settlement of their differences in accordance with the principles and practices of the United Nations and with full respect for the sovereignty, independence and territorial integrity of Belize;
  7. Instructs its Co-Presidents to forward this resolution to the Governments of Belize and Guatemala, the ACP-EU Council and the Commission.

# RESOLUTION<sup>(1)</sup>

## on the situation in Madagascar

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. whereas serious flooding and cyclones recently devastated various regions of the Republic of Madagascar, making hundreds of thousands homeless,
  - B. whereas because of those storms, more than 50 000 ha of subsistence and cash crops have been destroyed, several thousand head of cattle lost and the communities affected completely isolated,
  - C. whereas the huge economic, social and health problems caused by the storms are further weakening the Madagascan economy, which is already vulnerable, and hampering the efforts put in hand by the Government,
  - D. whereas the Madagascan Government, via the National Emergency Committee (NEC), has appealed for international aid,
1. Expresses its solidarity with all the people affected;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

2. Appeals to the Commission and the Member States of the European Union to provide emergency aid allowing the Madagascan authorities to cope as effectively as possible with the devastating impact of this disaster, meet the essential needs of the communities affected and make good the damage caused as soon as possible;
3. Calls, by the same token, for the Member States to cancel the debt of the Republic of Madagascar to allow it to continue, under better conditions, the development efforts it is making;
4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Government of the Republic of Madagascar.

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#### RESOLUTION<sup>(1)</sup>

##### on the situation in Ethiopia and Eritrea

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
  - having regard to its previous resolutions on the conflict between Eritrea and Ethiopia,
  - having regard to the fact-finding mission by the Co-Presidents of the Joint Assembly, to both countries, from 6 to 14 November 1999,
1. Firmly supports the OAU peace package which guarantees a peaceful and legal resolution of the conflict, and encourages the OAU and its partners (the EU and the US) to continue the laudable efforts they are currently making;
  2. Supports the mediation efforts at present being undertaken at the level of the Presidency of the OAU by HE President Abdelaziz Bouteflika in close liaison with the OAU Secretary-General, the governments of Ethiopia and Eritrea, and the Special Envoy of the EU Presidency, Senator Rino Serri;
  3. Calls on all interested parties to the conflict to avoid taking any decision or stance likely to hamper the effective implementation of the OAU peace plan;
  4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Organisation of African Unity and the governments of Eritrea and Ethiopia.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

**RESOLUTION<sup>(1)</sup>****on the situation in Côte d'Ivoire**

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. having regard to the change of regime which took place in Côte d'Ivoire on 24 December 1999, when a National Committee of Public Safety, headed by General Gueï, took power and which resulted in the deposing of the President of the Republic, suspension of the Constitution and dissolution of the National Assembly, the Constitutional Council and the Economic and Social Committee,
  - B. whereas this situation constitutes a violation of the essential elements defined in Article 5 of the revised Lomé IV Convention,
  - C. whereas, from its first appearance, the National Committee of Public Safety set itself the goal of working for the establishment of a genuine democracy through respect for human rights, the restoration of the rule of law, good governance and the organising of fair and transparent elections,
  - D. whereas the restoration of democratic lawfulness is vital for the continuation of cooperation between the European Union and Côte d'Ivoire,
  - E. having regard to the conclusions of the consultations between the European Union and the ACP Group of States on Côte d'Ivoire, pursuant to Article 366a of the revised Lomé IV Convention, which took place in Brussels on 7 February 2000,
  - F. having regard to the conclusions of the Presidency of the European Union at the close of the above consultations, in particular concerning the declarations of intent and information provided by the Côte d'Ivoire authorities in favour of a return to constitutionality in accordance with a democratic and pluralist process,
  - G. having regard also to the decision of the Council of the European Union to monitor very closely how the situation in Côte d'Ivoire develops, without pronouncing, at this juncture, on the possibility of suspending implementation of the Lomé Convention in respect of development cooperation,
1. Notes:
    - the setting in train of the process of returning to democratic normality, with the formation, on 12 January 2000, of a transitional government of national unity;
    - the appointment, on 21 January 2000, of a Consultative Constitutional and Electoral Commission to draw up a preliminary draft constitution;
    - the fact that the Consultative Constitutional and Electoral Commission, which is made up of representatives of all political parties, civil society and NGOs, also has the task of organising free and transparent elections and that its work will have to be completed by 31 March 2000 at the latest;
  2. Welcomes the avowed determination of the Côte d'Ivoire leaders to conclude the transitional period and the electoral process by 31 October 2000 at the latest;
  3. Calls on the Côte d'Ivoire authorities to abide scrupulously by the undertakings given with a view to a return to constitutionality in accordance with the timetable laid down;
  4. Calls on the international community in general, and the European Union and the ACP Group in particular, to do everything required to help Côte d'Ivoire to restore constitutionality;
  5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the European Parliament.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

**RESOLUTION<sup>(1)</sup>****on the situation in Haiti**

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. whereas according to the interpretation of the 1995 electoral decree, the term of office of most Members of Parliament and one third of the Senate was declared null and void by the Head of State and there has therefore been no functioning Parliament since then,
  - B. whereas a Provisional Electoral Council (PEC) and a transitional government were appointed in March 1999 and parliamentary and municipal elections were announced for 19 March 2000 on the basis of an electoral decree promulgated in July 1999,
  - C. whereas an electoral authority called the 'Provisional Electoral Council' (PEC) was appointed by decree of 16 March 1999,
  - D. whereas the parliamentary, municipal and local elections announced for 28 November 1999 on the basis of an electoral decree published in July 1999 were initially postponed to 19 March 2000, and then to 9 April and 21 May, by the Provisional Electoral Council,
  - E. whereas the Executive has contested the PEC's decision to organise the elections on the designated date,
  - F. whereas mere adherence to the electoral timetable would eliminate all elements of doubt and uncertainty regarding the ongoing process of democratisation,
- 1. Regrets that, for the third consecutive time, organised elections in Haiti have been postponed;
  - 2. Notes that technical reasons have been given as a pretext in an attempt to justify the consecutive postponements of the elections;
  - 3. Urges that the elections be held as soon as possible to allow the new Parliament to resume its functions on the second Monday of June 2000, which is the constitutional date for the second annual session of the Haitian Parliament;
  - 4. Reminds the Haitian Government that, if a Parliament is not elected to obtain the over EUR 500 m in funds available to Haiti, of which the country is in dire need to combat the misery afflicting the greater part of its population, the funds cannot be released;
  - 5. Calls on political parties in Haiti to ensure that they and their supporters respect the rights of expression, assembly and association, thereby minimising the possibility of violence that could lead to human rights violations;
  - 6. Calls on the Haitian authorities to take all necessary steps to reinforce the professionalism and political impartiality of the police force, and to strengthen the independence, impartiality and effectiveness of the justice system;
  - 7. Urges the Haitian authorities to achieve prison conditions that are consistent with the UN Standard Minimum Rules for the Treatment of Prisoners;
  - 8. Calls on the European Commission and the Member States to give priority to assisting the Haitian Government in the task of judicial reform, human rights education and training for the Haitian National Police, and the improvement of detention conditions;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

9. Instructs its Co-Presidents to forward this resolution to the Haitian Government, the ACP-EU Council, the Commission and the European Parliament.

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**RESOLUTION<sup>(1)</sup>**

**on the follow-up to the Copenhagen Summit**

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. whereas the Copenhagen World Summit from 6 to 12 March 1992 was the first global forum at head of state and government level to address social development,
  - B. whereas the Copenhagen Summit addressed these issues: poverty, employment and integration into society,
  - C. having regard to the importance of the Copenhagen Summit to human development, in particular for the poorest and most disadvantaged sections of the population,
  - D. whereas, in spite of the headway made, much remains to be done, in particular as regards democracy and human rights, women's rights, the role of international markets and debt,
  - E. acknowledging that effective follow-up, both at global level and in the framework of the United Nations, would be the key factor determining the World Summit's credibility,
- 1. Calls, in the context of ACP cooperation, for a world social order to be promoted and instituted which allows progress towards sustainable socio-economic development;
  - 2. Calls, as part of the WTO process, for more minimum social and environmental norms to be introduced;
  - 3. Acknowledges the vital role of recognition of human rights as a key factor in social development, and points up the fact that human development and sustainable development are inextricably linked;
  - 4. Calls for account to be taken of the debt reduction problem because indebtedness is presently the main obstacle to economic and social development;
  - 5. Calls for development aid to be more effectively geared to the social sector, and asks all developing countries to adopt the 20/20 arrangement and confirm the priority to be given to the social sector;
  - 6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the UN.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

**RESOLUTION<sup>(1)</sup>****on the follow-up to the Fourth World Conference on Women (Beijing, 1995)**

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
- having regard to the final declaration and Platform for Action of the Fourth World Conference on Women in Beijing (15 September 1995),
- having regard to its resolutions of 28 September 1995 on the Fourth World Conference on Women and on the issue of gender as a whole,
- having regard to the general report by Mrs Junker on the importance of the UN World Conferences of 1990 to 1996 for cooperation between the European Union and the ACP States in the context of the Lomé Convention, which it adopted at its meeting held in Lomé from 27 to 31 October 1997,
- A. pointing up the fact that, despite the progress made in certain countries women in the world continue to be underrepresented in decision-making processes,
- B. acknowledging that the majority of States which adopted the Platform for Action report have in the meantime (70 % as of March 1998) adopted national action plans and various campaigns and that 64 States have already adopted legislation and measures in the 12 critical action areas,
- C. acknowledging that the process of realising the Beijing platform goals is taking place in most countries with the active involvement, and under the critical eye, of non-governmental organisations and feminists and that, in many countries, they are providing major input into the process of adopting equal opportunities laws and measures to combat discrimination, which are being positively influenced and accompanied by campaigns to combat domestic violence and trafficking in women and children or to promote reproductive health, political involvement and property rights,
- D. whereas such courageous commitment is frequently to be found in countries where involvement in political decision-making processes within civil society is very difficult and the work takes place under particularly arduous financial and physical conditions,
- E. having regard to women's growing political involvement and to the success of African women's organisations in particular, which are committed to the nomination of women candidates and the introduction of quota systems in increasingly wide areas,
- F. having regard to the adverse impact of national restructuring measures, which, as a result of a lack of investment in the social sector, impose a disproportionately heavy burden on women as workers, producers, consumers, mothers and carers,
- G. fearing that women's access to basic health services is being greatly restricted because of severe government cuts in the social sector, even though women's access to basic health services is a fundamental prerequisite for promoting reproductive health,
- H. concerned that girls are suffering most because of the sharp cut-backs in the education sector and the introduction of school fees,
- 1. Strongly backs the commitment, enshrined in the Platform, to equality between men and women;
- 2. Again voices its firm belief that the key to sustainable development is structural change, which will be attainable only if women's productive, reproductive and social role is taken fully into account;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).



3. Welcomes the considerable headway which has been made by many ACP countries, in terms of creating awareness and taking practical action, since the Beijing Platform for Action was adopted, but at the same time calls for the assurances given by governments in national plans to be translated resolutely into action in order to realise the goals in the 12 critical areas;
4. Strongly recommends, in this connection, that democratic institutions and civil society players capable of verifying government action in terms of gender equality, and influencing it accordingly, be bolstered and calls on the ACP governments to consult non-governmental organisations when drawing up progress reports and to develop joint monitoring strategies;
5. Welcomes the introduction of quota systems as a major way of involving women in decision-making processes, and calls on the ACP States and EU member countries alike to make reference to or, as the case may be, introduce such systems, in a resolute fashion, where this is still necessary;
6. Calls on the ACP governments to honour the undertakings they have entered into with regard to equal access to basic education, training and basic health services and to ensure, in so far as this has not yet been resolved, that women are given the same rights concerning land ownership, inheritance and access to credit, etc.;
7. Is pleased that a number of ACP countries have in the meantime enacted a ban on genital mutilation and calls on those ACP countries which have not yet done so likewise to take action and to support non-governmental organisations running information campaigns in this connection in combination with measures to improve family planning and reproductive health;
8. Appeals to the ACP States and the EU Member States alike to view the outcome of the UN World Conferences in Cairo, Copenhagen and Beijing in particular in an overall context of which the concept of the right to reproductive health and sexual self-determination is just as much part and parcel as acknowledgement of the sexes' equal involvement in decision-making processes and equal access for women to social and economic resources;
9. Urges the ACP and EU governments at the follow-up conference in New York in June 2000 not to reopen negotiations on the Beijing Platform of Action, but to call for another UN world conference on women ten years after Beijing;
10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the United Nations Secretary-General.

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## RESOLUTION<sup>(1)</sup>

### on child soldiers

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
- having regard to Article 38 of the UN Convention on the Rights of the Child,

- A. concurring emphatically with the Additional Protocol of 21 January 2000 to the UN Convention on the Rights of the Child, which prohibits the deplorable practice of using child soldiers in national armed forces and in armed opposition groups, and requires the governments in question to demobilise child soldiers and reintegrate them into civilian society,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

- B. having regard to ILO Convention 182 of June 1999, under which the signatories are required to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour, including forced or compulsory recruitment of children for use in armed conflict,
- C. whereas, under the Statute of the International Criminal Court adopted in Rome in July 1998, conscripting or enlisting children under the age of 15 years into national armed forces or armed opposition groups constitutes a war crime,
- D. concurring with the African Charter on the Rights and Welfare of the Child, which entered into force on 29 November 1999, whereby the minimum age for recruitment and participation in armed conflicts is set at 18 throughout the OAU, and with the Maputo Declaration of July 1999, under which OAU Member States are called upon to adopt laws prohibiting the recruitment and deployment of children under the age of 18 as soldiers,
- E. aware that more than 300 000 children under the age of 18 are at present actively involved in armed conflicts world-wide and that an even greater number have already been conscripted,
- F. aware that the reintegration of child soldiers into society is an even more difficult undertaking than that of releasing these children from military units and warrior bands, since they are often traumatised and have had no schooling or training and do not know any form of social expression other than fighting,
- G. aware that in most cases so far, children have not been included in official demobilisation measures, in an effort to conceal the fact that children were used as soldiers in national armed forces,
- H. gravely concerned about the continuing abduction of children by the Lord's Resistance Army in northern Uganda to be used as child soldiers in the wars in Uganda and Sudan, constituting one of the gravest violations of children's rights anywhere in the world,
- I. gravely concerned about the fact that thousands of Ugandan children are still being held in LRA camps in government-controlled territory in southern Sudan, where they are being subjected to beatings, killing, forced fighting, sexual abuse and starvation,
- J. regretting that, in Europe too, minors can still be recruited for the military on a voluntary basis and in some cases are deployed in war zones,
- K. disapproving of the fact that the massive and uncontrolled trade in small arms not only serves to aggravate conflicts but also provides the wherewithal for the involvement of children in violent conflicts,
  - 1. Rejects in equal measure the deployment of child soldiers in battle by regular government forces and by armed opposition groups;
  - 2. Calls on the Member States of the European Union and the ACP States to support the various international initiatives, and to work towards the recognition of the Additional Protocol to the UN Convention on the Rights of the Child and its transposition into law by the whole international community;
  - 3. Calls on the EU Council to pursue a common policy to combat the deployment of child soldiers, and in particular to work towards increasing the minimum age for voluntary recruitment into military service to 18 throughout the EU;
  - 4. Calls on those ACP States which still employ children in their armed forces to carry out comprehensive demobilisation measures for children in accordance with the Additional Protocol, and also to adopt legal provisions effectively prohibiting this practice or making it a criminal offence when carried out by armed opposition groups;
  - 5. Calls on the Member States of the European Union and the ACP countries not to deploy any soldiers under the age of majority in UN peace-keeping forces;

6. Calls on the Commission, in the context of rehabilitation measures, to make resources available for the demobilisation of children who have been involved in armed conflicts and to promote their integration into civilian society;
7. Stresses in this context the special importance of making school and training facilities available, in order to offer new prospects for these children and young people;
8. Calls upon the Government of Sudan to withdraw its permission for the LRA to operate from its territory, to stop using abducted Ugandan children as soldiers in the war in southern Sudan and to cooperate in the immediate and unconditional release of abducted children, as stipulated in the Nairobi peace accord;
9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN Special Representative for the effects of armed conflicts on children, and the UN Commission on Human Rights.

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#### RESOLUTION<sup>(1)</sup>

##### on HIV/AIDS

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
  - having regard to its earlier resolutions, particularly that of 24 September 1998 on health and AIDS,
  - having regard to the WHO/UNAIDS report entitled 'AIDS epidemic update: December 1999',
- A. whereas, of the 32,4 million adults and 1,2 million children infected with HIV at the end of 1999, some 95 % live in developing countries and 70 % of these in sub-Saharan Africa, and whereas this proportion will increase still further owing to poverty, lack of health care and limited preventive measures,
  - B. concerned that the HIV/AIDS epidemic is not only totally undermining the health systems of the developing countries but is a major factor in a real development crisis, cancelling out decades of progress and bringing life expectancy — which had risen significantly in the recent past — back down to 1960s levels,
  - C. whereas the epidemic is having an increasing effect on the African economy as a result of the illness and death of many persons of working age, and whereas working life in sub-Saharan Africa is now more likely to be terminated by disease and death than by reaching retirement age,
  - D. deeply disturbed that there are now 12 to 13 HIV-infected African women for every infected man, this higher infection rate among women being due chiefly to the easier transmissibility of the disease to women, the lower age of women and girls at the time of first infection, and the fact that susceptibility to infection is compounded by sexual mutilation, by giving birth too often, without allowing sufficient time between births, and by poor hygiene and reproductive health conditions,
  - E. whereas 570 000 newly infected children in 1999 were aged under 14, and whereas 90 % of these were new-born babies who were HIV-positive at birth,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

- F. whereas four fifths of the money spent world-wide on health goes to help only one fifth of the world's population, and whereas, as regards AIDS, the situation for developing countries is even more depressing, since 92 % of the population have to make do with only 8 % of the total expenditure on combating the virus,
- G. whereas in order to implement long-term AIDS treatments there is a need not only for functioning health systems but also for AIDS therapies to be made available at affordable prices,
1. Calls on the ACP States to guarantee basic supplies for adults and children for the early treatment of diseases, access to sexual reproduction health care, including health education, family planning and AIDS prevention as well as the medical care of HIV-positive children and adults;
  2. Calls on the ACP governments to carry out preventive campaigns as a part of broad, concerted national measures including the dissemination of targeted information and education material, the free distribution of condoms, and stresses that the direct participation of men and of particularly vulnerable and underserved groups such as young people and refugees is essential for the success of such measures;
  3. Welcomes the fact that the UN Security Council, concerned at the alarming spread of HIV/AIDS, particularly in Africa, has for the first time placed a health policy issue on its agenda, thereby acknowledging that human society is threatened by new forms of security risk;
  4. Looks to the Security Council, with this in mind, to devote itself in future to other matters relevant to security which go beyond the bounds of traditional foreign and security policy;
  5. Stresses that it is the duty of the OECD countries, and in this connection particularly of the EU Member States, to find ways and means of using affordable HIV/AIDS therapies, including palliative care and the treatment of opportunist infections and the revival of initiatives such as the International Therapeutic Solidarity Fund (ITSF), which will also be in their own interest;
  6. Urges EU Member States, those responsible for the pharmaceutical industry, and all those in leading positions in health policy, to step up research efforts to develop vaccines and to permit the production of low-cost treatments in the developing countries;
  7. Calls on the EU and ACP governments to give strong political leadership in the fight against HIV/AIDS, to review legislation to ensure that the International Guidelines on HIV/AIDS and Human Rights (issued in 1996 by the UN High Commissioner for Human Rights and UNAIDS) are respected, and to participate, together with UNAIDS, in the formation of broad coalitions such as the International Partnership against AIDS, involving governments, multilateral organisations, those involved in development policy, NGOs and trade unions;
  8. Calls on the EU States, in order to support the ACP governments in their national efforts to combat the epidemic, and to invest more in the type of programmes which lend themselves to covering the whole range of social and economic problems accompanying AIDS;
  9. Stresses the importance of the EU's HIV/AIDS programme for developing countries and the need to continue making appropriate human and financial resources available to combat HIV/AIDS;
  10. Stresses once again that it will be essential, in order for these programmes to succeed, for the concept of reproductive health to be given the highest priority, and calls on the Commission to take the opportunity, in implementing the recently concluded ACP-EU Convention, to step up cooperation in the health field and in the field of social and human development to bring this about;
  11. Calls on ACP governments to make special efforts to stem the increasing rate of mother to child transmission of HIV/AIDS by increasing access to both preventive reproductive health care services and to pre- and postnatal care for HIV-positive women and infants;

12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the UN, representatives of the pharmaceutical industry, the WHO and the Commission.

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## RESOLUTION<sup>(1)</sup>

### on HIV/AIDS

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. whereas despite the progress made in the treatment of HIV/AIDS infections, most developing countries cannot afford the cost of anti-viral drugs available in the industrialised world,
  - B. alarmed that higher HIV/AIDS infection rates exists in sub-Saharan Africa, where expenditure on health and education have been drastically reduced because of a number of constraints, which are having far-reaching consequences,
  - C. alarmed that one third of the world's population is deprived of access to existing HIV/AIDS treatment, while other diseases which had been considered under control, such as tuberculosis, are on the increase,
  - D. whereas some tropical diseases are treatable, but the drugs are either prohibitively expensive, no longer produced or lacking in quality or effectiveness,
  - E. whereas the world trade system, which sets the rules for the sale of products within and between countries, treats medicines like any other commodities,
  - F. whereas access to health care is part of the Universal Declaration of Human Rights,
- 1. Is seriously concerned by the monopoly of big pharmaceutical companies, which often charge the same high price world-wide, posing an obstacle to access to HIV/AIDS drugs and other essential medicines in developing countries;
  - 2. Stresses that the high price of patented drugs has led to legitimate concerns about the potential impact of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which seeks to enforce global patent protection;
  - 3. Notes that when Pentamidine — which was a cheap treatment developed to treat sleeping sickness — was found to be effective in the treatment of AIDS-related infections, the price of this drug increased by 500 % and that as a result the drug is no longer available in most developing countries;
  - 4. Finds it unacceptable that access to essential medicines is increasingly difficult, particularly for the most common infectious diseases in developing countries;
  - 5. Calls on the EU to develop expertise and capacity-building in developing countries through technology transfers, for example by creating links with organisations that have the necessary expertise;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

6. Calls on the EU and ACP governments to develop a comprehensive strategy for improved access to essential drugs, and to monitor the impact of trade agreements on public health in developing countries;
7. Calls on the EU and ACP negotiators at the WTO to examine the impact of WTO agreements, in particular TRIPS, in the light of public health concern in developing countries;
8. Stresses that experience in the vaccine sector demonstrates that significant differentials can be achieved between prices in developed countries and those in developing countries, and calls on pharmaceutical companies to establish similar price differentials for other pharmaceuticals, including essential new drugs and more expensive patented drugs for HIV/AIDS;
9. Emphasises that the present imbalance in global public health research investment means that only 10 % of the \$56 bn normally spent on health research is allocated to 90 % of the health problems of the world's population;
10. Stresses the need to create global mechanisms and incentives that drive research and development into diseases such as HIV/AIDS and TB that affect the developing countries disproportionately;
11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the WHO.

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#### RESOLUTION<sup>(1)</sup>

##### **on the contribution to alleviate the worsening malaria situation in ACP countries**

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
  - having regard to Commission communication COM(98) 305 final of 10 June 1998 on research and technological development which confirms the international role of Community research,
  - having regard to Commission communication COM(97) 174 final of 25 April 1997 entitled 'Scientific and Technological Research — a Strategic Part of the European Union's Development Cooperation with Developing Countries',
- A. whereas cooperation policy and ACP-EU relations should promote sustainable development in ACP countries, noting that malaria, along with other burdens of poverty such as tuberculosis and HIV/AIDS, is a significant impediment to human development, and a cause and consequence of poverty,
  - B. whereas the rapid spread of drug-resistant malaria in ACP countries virtually prevents sustainable socio-economic development,
  - C. whereas malaria-affected countries lose as much as 6 % of their GDP as a result of the disease,
  - D. whereas investment in the health of poor people has a staggering impact on their ability to escape poverty and flourish,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

- E. whereas currently available intervention tools when used properly, in the context of ongoing attempts to improve the effectiveness and efficiency of health care, can redress the disastrous malaria situation to a certain extent,
- F. noting that the developing countries lack sufficient financial and human resources for long-term investment in the development of new and better tools for control of malaria,
- G. whereas the use of new technology provides better prospects for sustainable malaria control,
- H. noting that the Commission, in cooperation with Union Member States, has established appropriate mechanisms for the advancement of malaria vaccine development involving African and European expertise: the European Malaria Vaccine Initiative (EMVI) and the African Malaria Vaccine Testing Network (AMVTN),
- I. noting that there is collaboration between EMVI and AMVTN which are closely coordinated, and the private pharmaceutical industry,
- J. noting that the recent development in Mozambique shows the urgent need for action to find proper medication to ease the problems of malaria,
- K. noting that on 24 to 25 April 2000 there will be a pan-African OAU meeting in Nigeria to discuss the worsening malaria situation in Africa,
1. Expresses its concern that deaths caused by malaria continue to increase and that well over 1.5 million children die each year of malaria in ACP countries;
2. Calls on the Commission to further enhance substantially the capacity of EMVI and AMVTN for accelerated development and trials of urgently needed malaria vaccines, targeting the needs of populations in malaria-endemic areas, by means of a fully fledged malaria vaccine programme spanning all the processes from post-discovery validation via limited GMP production to clinical trials in Europe and Africa;
3. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the WHO and the OAU.

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## RESOLUTION<sup>(1)</sup>

### on bananas

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. recalling its previous resolutions on bananas, in particular those adopted on 6 October 1994 at Libreville, 3 February 1995 at Dakar, 22 March 1996 at Windhoek, 25 September 1996 at Luxembourg, 20 March 1997 at Brussels, 30 October 1997 at Lomé, 22 April 1998 at Port Louis and 31 March 1999 at Strasbourg,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

- B. recalling the complaint lodged in 1996 by the United States and four Latin American countries against the Community banana import regime,
- C. whereas a WTO panel issued a ruling at the start of last year against certain aspects of the EU banana import regime and the Council of the EU subsequently agreed to reform the system,
- D. whereas, following the outcome of the WTO appeal, the Commission proposed amendment of the Regulation setting up a common organisation of the market in bananas (EC 404/93) by way of compliance, and whereas those amendments substantially alter marketing conditions for traditional ACP and European suppliers,
- E. whereas the traditional ACP banana suppliers are likely to be the main casualties of the overhaul of the common organisation of the market in bananas, causing a great many job losses, a fall in export earnings and the collapse of some economies, with serious socioeconomic consequences for the countries and regions concerned,
- F. whereas the WTO did not challenge the existence either of a tariff rate quota for Latin America and non-traditional ACP suppliers or of a zero-duty quota for traditional ACP suppliers,
- G. noting that the WTO only condemns the import licence system under the present CMO in bananas,
- H. whereas the Commission's proposal to reform the CMO in bananas extends far beyond the aspects where the WTO is calling for change, and calls into question the entire European banana regime,
- I. whereas the controversy surrounding the banana import regime is simply part of a much broader debate on the future of trade with the developing countries in general and, in particular, on the new Lome agreements and protocols on trade with the ACP countries,
- J. noting that the new Partnership Agreement between the ACP States and the European Union provides for negotiation of new trading arrangements compatible with WTO rules as of 2008 and that the parties have agreed to maintain the present market access regime until then,
- K. acknowledging that the process of liberalisation under way at bilateral and multilateral level is eroding preferences for ACP countries, which is affecting their competitiveness,
- L. urging that the ACP countries' position on the proposal to amend the regime be considered and that, pursuant to the relevant article in the new Partnership Agreement, full consultations be held with the ACP countries before any final decision is taken on the matter,
- M. whereas the present CMO in bananas, thanks to a pricing policy benefiting not only European consumers but also Community and ACP producers, has enabled the European market to be supplied,
- N. whereas some banana producing countries such as Ecuador and other dollar zone countries, for instance, have been able to maintain their production and their quotas for access to the European market, which have not been cut below pre-1993 volumes,
  - 1. Rejects the current Commission proposal, which does not take account of the needs of the most vulnerable producers, and voices its profound concern at the threat that proposal implies to the survival of thousands of small producers in the ACP countries concerned and of Community banana producers, who are located in some of the least favoured EU regions;
  - 2. Calls on the Commission to seek to maintain the present regime as far as possible and to modify only those aspects which are necessary to comply with WTO rules;



3. Also calls on the Council of the European Union to ensure that the preferences guaranteed to the ACP States by the ACP-EU Convention are not further eroded by any review of the multilateral trading agreements;
4. Expresses its complete rejection of the automatic transition, in 2006, to the 'tariff only' system proposed by the Commission, which would bring about the end of Community banana production and would also affect many ACP States, in particular the more vulnerable producing countries such as those of the Caribbean;
5. Also rejects the 'auction' system proposed by the Commission for awarding quota C import licences;
6. Calls on the Commission to maintain a system of tariff rate quotas;
7. States that it is important, at all events, to lay down a sufficiently lengthy transitional period (at least 10 years) to enable Community and ACP producers to adapt to the new system;
8. Calls on the Council of the European Union to make sure that the commitment given to producers is honoured as far as possible by guaranteeing that Community production is safeguarded and that access to the European market for ACP bananas and the advantages they enjoy on that market are maintained in order to provide a viable level of earnings for producers;
9. Calls on the Commission and the Council to take the necessary measures to help the relevant Community and ACP banana producers to adapt to the changed circumstances by seeking in particular to strengthen and diversify their economies;
10. Urges the Commission to consider the ACP countries' position on the proposed modification of the regime, which has been submitted to it, and ensure that consultations are held with the ACP countries on this matter in accordance with Article 12 of the Lome Convention;
11. Also urges the Council of the European Union to take fully into account the ACP position on the reform, in particular assured access on a viable basis, and ensure that the commitments given in the second Banana Protocol are honoured, and adequate redress provided for the reform process;
12. Appeals to the Union to secure the WTO's acknowledgement that preferential agreements are development aid instruments and that the European Union must face up to its responsibilities and duty to display solidarity towards the ACP countries and relevant Union regions by safeguarding the legitimate interests of their banana producers;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Director-General of the WTO.

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## RESOLUTION<sup>(1)</sup>

### on cocoa

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. recalling the links between the European Union and the ACP countries,
- B. recalling its resolution on the use of vegetable fats other than cocoa butter in the manufacture of chocolate, adopted at Windhoek (Namibia) in March 1996,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

- C. having regard to the common position of the EU Council of Ministers (9947/1/99) seeking to extend to all the Member States the possibility of using vegetable fats other than cocoa butter in cocoa products and chocolate, whereas previously such fats have been used in only seven Member States,
- D. having regard to the importance of the EU market for exports of cocoa beans and cocoa-based products for the 31 ACP cocoa-producing countries,
- E. whereas many ACP states' economies are heavily dependent on cocoa production,
- F. whereas the introduction of cocoa butter substitutes could have a devastating effect on cocoa producers, possibly involving a drop in demand on the international market,
- G. concerned at the disastrous economic and financial consequences for the ACP cocoa exporting countries, where the livelihood of more than 11 million people, mainly in West Africa, is dependent on these exports,
- H. recalling that the European Union signed an agreement on cocoa in 1993 with a view to promoting cocoa consumption on its territory in order to stabilise the producer countries' incomes,
1. Regrets that liberalisation has prevailed at the expense of the development of ACP cocoa producing countries;
  2. Considers that the introduction of vegetable fats other than shea will destabilise the economies of the cocoa-producing countries, with dire economic and social consequences for their people;
  3. Considers that the proposal for a directive as presented remains incompatible with the International Cocoa Agreement whereby the European Union undertook to promote the consumption of cocoa in order to stabilise the incomes of the producer countries;
  4. Calls on the Commission to do its utmost to cover the losses caused by the introduction of vegetable fats other than cocoa butter;
  5. Calls on the Commission and the Member States to put in place a policy accommodating development cooperation and trade concerns while giving preference to sustainable development over commercial considerations;
  6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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## RESOLUTION<sup>(1)</sup>

### on rum

*The ACP-EU Joint Assembly,*

— meeting in Abuja (Nigeria) from 20 to 23 March 2000,

- A. reaffirming its resolution on rum adopted during the 29th session held in Nassau (Bahamas) from 11 to 14 October 1999,
- B. recalling the resolution on rum adopted by the 69th session of the ACP Council of Ministers held in Brussels (Belgium) from 26 to 28 July 1999,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

- C. recalling the trade objectives of the Lomé IV Convention of promoting trade between the ACP and the Community and the commitment given in the recently concluded new Partnership Agreement between the ACP and the Community,
  - D. having regard to the importance of the rum trade with the EU to the economies of ACP rum producing States and the contribution of the rum industry to foreign exchange earnings, employment and hence the socio-economic development and political stability of the States concerned, as recognised by the EU in the Joint Declaration on Rum in the new Partnership Agreement,
  - E. whereas there is a need for rapid development of ACP rum industries to enable them to compete on the EU market with non-ACP rum, most of which is subsidised,
  - F. recalling the 24 March 1997 Declaration of the EU Council and Commission, to the effect that the EU/US Memorandum of Understanding would not change in any way the terms of access enjoyed by ACP rum exports to the Community market, in the framework of the Lomé Convention, and would not prejudice the future of the regime after the Convention expired in 2000,
  - G. having regard to the competition facing ACP rum from other products labelled as rum and the substantial investments made in developing and marketing ACP rum within the constraints of the quota system, which to a large extent restricted trade to low margin bulk rum,
  - H. noting the extensive promotion campaign that will need to be undertaken by the ACP to develop a market for higher quality branded rums and recognising that this process will require an extended period so that they can compete successfully in a tariff-free market with rums from other regions,
- 1. Calls on the Community and the Member States to:
    - (a) fully honour their commitment to the ACP with respect to the trade in rum and permit the ACP to develop to its full potential their traditional trade flow with the EU;
    - (b) ensure that the agreement reached in the recently concluded Partnership Agreement is fully honoured, that ACP rum exports are not adversely affected and that their competitive position in the market is maintained;
    - (c) ensure that the resources for development of ACP industries are made available and easily accessible to the countries concerned;
    - (d) maintain strict enforcement without derogations of EU rules limiting commercial use of the term 'rum' as described in Article 4 of Council Regulation (EC) No 1576/89;
  - 2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on the impact of health and plant health measures on the export of ACP products to the European Union**

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
- having regard to the intended successor agreement to the Lomé IV Convention and its general political objectives, i.e. poverty eradication, sustainable development and the gradual integration of the ACP countries into the global economy,
- whereas, pursuant to Article 130v of the Treaty on European Union on policy coherence, the Community shall take account of development objectives in the policies it implements which are likely to affect developing countries,
- A. having regard to the health-related measures adopted some time ago by the European Union for fisheries products and certain agricultural products, in particular fruit and vegetables,
- B. whereas those measures require major investment at a time when most ACP countries have only very limited financial resources,
- C. whereas the developing countries, and in particular the ACP countries, may encounter major difficulties in complying with health standards and implementing health and plant health measures on their own territory,
- D. having regard to the importance of the agricultural and fisheries sector for the most impoverished sections of the population in many ACP countries,
- E. whereas the products in this sector make up a large portion of the ACP exports to the European Union, and having regard to the scope for diversification they afford the ACP States in terms of their sustainable development,
- F. having regard to the provisions of Article 2 of the WTO Agreement on Sanitary and Phytosanitary Measures and, in particular, those which stipulate that those measures ought not to be applied in such a way as to constitute a disguised restriction on trade and the provisions of Articles 9 and 10 on technical assistance and on special and differential treatment for developing countries,
- G. deploring the lack of information and consultations between the European Union and the ACP Group concerning health and plant health questions as provided for in the provisions of Article 12 of the Fourth Convention of Lomé and in Article 17 of the ACP-EU Partnership Agreement,
- 1. Invites the European Community to take the necessary measures to ensure better collaboration between the Commission and the ACP Group with regard to health and plant health measures;
- 2. Calls on the European Union to introduce specific programmes of aid to allow the ACP countries to comply with the European Union's new health and plant health standards;
- 3. Calls for the time limit for the entry into force of new standards to be coupled with a longer transitional period (at least two years) for the ACP countries in order to allow them to adapt and to safeguard their export opportunities;
- 4. Invites the European Union to provide the ACP countries with technical and financial assistance in order to facilitate their active involvement in the work of the international organisations with responsibility for health

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

and plant health questions, in particular the Codex Alimentarius Commission, the World Organisation for Animal Health, the Secretariat of the International Plant Protection Convention and the United Nations Environmental Programme;

5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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## RESOLUTION<sup>(1)</sup>

### on a WTO waiver

*The ACP-EU Joint Assembly,*

- meeting in Abuja (Nigeria) from 20 to 23 March 2000,
  - having regard to the recently concluded negotiations for a Partnership Agreement (PA) aimed at establishing a new framework for ACP-EU cooperation,
  - having regard to its resolution on the WTO Millennium Round of negotiations adopted on 14 October 1999 in Nassau (Bahamas),
- A. noting the important role of trade and investment in the process of economic growth and overall development of the ACP countries,
  - B. whereas the Agreement is aimed at promoting gradual integration of the ACP countries into the world economy within the multilateral trading system,
  - C. conscious that the parties to the Agreement require a waiver from the provisions of Article I:1 of the General Agreement (GATT 1994) in order to permit the European Community to provide preferential treatment for products originating in the APC States without being required to extend the same preferential treatment to similar products of any other WTO member,
  - D. aware that the parties have agreed to conclude, by the end of the preparatory period, new WTO-compatible trade arrangements,
  - E. noting that the preparatory period is necessary in order to negotiate the future WTO-compatible trade arrangements, as well as for capacity building in the public and private sectors of ACP countries, for the strengthening of regional organisation, for support for regional trade integration initiatives and for investment promotion,
  - F. recalling that the successive Lomé Conventions between ACP countries and the EU have contributed substantially to the process of economic development in the ACP countries,
  - G. mindful of the fact that the new PA aims to improve the standards of living and economic development of the ACP States, including the least developed among them,
  - H. whereas following the breakdown of the WTO Ministerial meeting in Seattle, many members are now committed to fundamental institutional reform of the WTO itself, through which the principle of special and differential treatment enshrined in the Partnership Agreement, and the better participation by ACP developing countries in the WTO, can be guaranteed,
1. Calls upon the international community in general, and the WTO member states in particular, to support the application, already presented to the WTO on the basis of Article IX:3 of the Marrakech Agreement

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria).

establishing the World Trade Organisation, for a waiver from the obligations of the European Community under Article I:1 of the General Agreement on Tariffs and Trade 1994 with respect to the granting of preferential treatment for products originating in ACP countries, as provided for in the new Partnership Agreement for the duration of the preparatory period, namely 1 March 2000 — 31 December 2007;

2. Calls upon the ACP and the EU parliamentarians to actively seek support for the waiver application during their contacts with non-ACP and non-EU members of the WTO;

3. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Director General of the WTO.

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**RESOLUTION<sup>(1)</sup>****on ACP-EU partnership and the challenges of globalisation**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
- having regard to the general report on ACP-EU partnership and the challenges of globalisation (ACP-EU 2976/00/B),
- having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States on the one part and the European Community and its Member States, on the other part signed in Cotonou (Benin) on 23 June 2000,
- having regard to its resolution on the future of ACP-EU relations (ACP-EU 2880/00/A/fin.),
- having regard to its resolution on the fight against poverty in the ACP countries and the European Union (ACP-EU 2770/99/A/fin.),
- having regard to the Santo Domingo Declaration adopted by the second summit of ACP Heads of State and Government on 26 November 1999,
- having regard to the reports and declarations of various international organisations (UN, UNCTAD, WTO, IMF, World Bank, G8, G77) and notably
  - the Declaration of the Africa-Europe Summit (Cairo, 3-4 April 2000),
  - the Declaration of the G77 South Summit (Havana, 10-14 April 2000),
  - the Declaration of the Millennium Summit (New York, 6-8 September 2000),
- A. whereas the world has become more interdependent than ever before, and the persistence of endemic poverty and deprivation in the South constitutes a potential threat to the security and prosperity of the entire world,
- B. whereas globalisation calls for approaches and methods in line with the global level of the problems facing the world,
- C. whereas, however, the regional dimension is particularly important for cooperation by the ACP countries between themselves and with the EU since it helps to establish joint negotiating positions and develop a common assertiveness, thereby strengthening the economic position of the ACP countries, making it easier to counter pressure exerted by the North,
- D. whereas the process of globalisation also makes it necessary to take account of and strengthen the regional dimension so as to channel resources and take advantage of market opportunities,
- E. recognising that current patterns of globalisation, economic growth and poverty reduction will mean that the international development targets for 2015 will be missed unless policies are introduced which allow poor people to benefit more fully from the opportunities created by globalisation, while protecting them from the dangers it creates,
- F. whereas globalisation has increased the vulnerability of those developing countries which are in the process of being integrated into the world economy, as empirical evidence shows that even those countries which seem to have adapted well to globalisation were the most seriously affected by the Asian crisis,
- G. whereas even developing countries with limited or no financial markets suffer badly from financial volatility and contagion through lower commodity prices brought about by declining commodity demand, cross-instability in financial and commodity markets, and the postponement of investment, which seriously weaken their overall economic situation and growth potential,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 11 October 2000 in Brussels (Belgium).

- H. whereas financial liberalisation including speculative and volatile financial flows, over which the developing countries have little control, in the absence of adequate institutional arrangements to manage the process, has generated significant instability in the international economies, with specially disastrous results for the developing countries,
- I. stressing that most African countries have suffered from imposed structural adjustments with too little concern for social and environmental aspects,
- J. recognising the vital importance of education, skills and training in the global knowledge economy; aware of the agonisingly slow progress towards the target of universal primary education by the year 2015 and the lasting problems caused by this; conscious of the need to close the gap between girls and boys in terms of the educational opportunities available to them,
- K. recognising that the impact and rapid pace of the IT revolution are ushering in fundamental changes that will define the challenges and opportunities for all countries in the future and that IT could become an effective instrument for fostering equality in the field of economic growth and development and for narrowing the gap between the developed and the developing countries, as well as for facilitating access to knowledge and education at all levels of society; regretting however that in Africa especially the development of the IT sector has remained very limited, which means that there is a danger of large sections of the population being excluded from the opportunities offered by technological progress,
- L. noting the still growing gap between North and South in the scientific and technological field and with regard to the process of rapid accumulation of knowledge and technologies, from which large numbers of people in the developing countries, in the absence of education and material resources, are unable to benefit,
- M. noting that the WTO Ministerial Conference in Seattle collapsed after four days of talks without reaching any agreement on a new round,
- N. recalling that developing countries in particular have publicly expressed in Seattle their disagreement with the procedures used to conduct the Ministerial Conference, which according to them lacked both transparency and equitable participation in the negotiations, and therefore announced their unwillingness to join a so-called consensus,
- O. noting that massive demonstrations throughout the Conference have shown the high degree of popular dissatisfaction with WTO-led globalisation, and calling for greater recognition of the question of full respect for human rights, such as the right to education and health, the loss of jobs and income, food and water insecurity, environmental degradation and non-accountability of WTO decisions,
- P. recalling that for most countries of the South, agriculture remains the mainstay of their economies, the majority of the population still lives in rural areas and are therefore particularly endangered by the impact of globalisation if account is not taken of their needs in strategic planning at regional and national level,
- Q. concerned at the downward trend of expenditure by OECD countries on development cooperation which, on average, falls far below the UN target of 0,7 % of GDP,
- R. recalling that the debt crisis is one of the greatest obstacles to achieving the international development targets for ACP and other developing countries,
- S. having regard to the increasing commitment of civil society to become actively involved in democratic, political, social, economic and community development, requiring in particular the purposeful involvement of local actors,
- T. maintaining its commitment to work towards the establishment of a just and democratic international economic system and emphasising that the process of globalisation must go hand in hand with a strengthening of democratic structures in the ACP and EU countries to prevent it from having an unfavourable impact on respect for human rights and fundamental freedoms for all,



**On Trade**

1. Considers the failure of the WTO Conference in Seattle to be a strong signal that if the WTO is to have sufficient political credibility and popular support to engage in a further round of trade negotiations, there must be an in-depth reform of its rules in order to ensure greater fairness amongst unequal partners, and in order to take account of the potential impact on vulnerable groups; rejects any attempt to ignore public mobilisation and return to business as usual;
2. Stresses the principle of universal membership of the WTO;
3. Shares the view that there should be a moratorium on all new WTO negotiations, as long as due respect for the procedures and conditions of transparency, openness and participation permitting adequately balanced results in respect of the interests of all member countries do not exist;
4. Considers that before any further liberalisation is agreed, an assessment of the impact of the Uruguay Round on sustainable development in ACP countries should be undertaken; supports the ongoing effort by the EU to assess the impacts of the future trade rounds, taking into account the reviews of the major UN conferences on women and economic and social issues (Beijing +5 and Copenhagen +5);
5. Affirms that any multilateral negotiations on agriculture must take fully into account the concerns and special needs, including those related to food security and rural employment of developing countries which are predominantly agrarian economies;
6. Calls for research to improve understanding of the linkages between trade liberalisation and poverty reduction. This is essential to ensure that future WTO negotiations and trade policy reforms proposed by donors benefit the poor;
7. Calls for northern countries to open their markets to developing country exports, to eliminate escalating tariffs, and to immediately grant tariff and quota free access for all exports from the 48 poorest countries while safeguarding the interests of ACP countries which benefit from stable export earnings through preferential agreements with the EU;
8. Calls for the expeditious implementation of the Marrakech Ministerial decision on measures concerning possible negative effects of the reform programme on least developed and net food importing developing countries;
9. Calls for support for international action aimed at stabilising commodity prices at more remunerative levels, and national schemes to protect producers against excessive risks;
10. Calls for changes to WTO agreements to allow poor countries greater flexibility to pursue national and regional development strategies, for example by protecting and supporting their agricultural sectors in the interests of promoting food security and rural development;
11. Insists on the need to implement the provisions for special and differential treatment for the developing countries, and for the strengthening of the system of trade preferences, which should also address the needs of LDCs and the needs of a number of small developing countries, while taking into consideration their problems of vulnerability and the risk of marginalisation in the global economy;
12. Points out that until supply-side capacity issues are addressed, very little real progress can be made on integrating the poorest countries into the world economy; the benefits that could be derived from the new ACP-EU Partnership Agreement and the opportunities offered by the multilateral trading system will not be realised unless the capacity constraints in the ACP countries are addressed;

13. Calls on the North to adopt a consistent agricultural policy, involving for example the elimination of subsidies which cause market disruption in the countries of the South and for urgent work on the elimination of tariffs and technical barriers to trade;
14. Considers that priority should be given to the liberalisation of those service sectors where developing countries have the comparative advantage;
15. Emphasises the need adequately to address the key issue of the free movement of legal immigrants;
16. Is extremely concerned that the ultraliberalism enshrined at the WTO is undermining the opportunities for sustainable development;
17. Calls for careful consideration of the extent to which goods and services in sectors such as education, culture and health should be excluded from WTO negotiations;
18. Stresses the importance of the ACP and the EU to form alliances within the WTO to ensure that there is ample flexibility in the interpretation and application of WTO rules and norms, so that the development interest and particular problems of the ACP countries are fully taken into account, and that the commitments on special and differential treatment are given real content;
19. Agrees to establish a Joint Working Group to prepare detailed proposals for the reform of the WTO in the interests of transparency, democratic accountability and the political equality of all WTO members;

#### **Financial architecture**

20. Affirms that there is an increasing need for the reform of the international financial architecture in order to increase the effective participation of developing countries in the management of the international economy. This reform should address financing for development as well as strengthening of the early warning system to provide for improved response capabilities to help countries deal with the emergencies and spread of financial crises;
21. Considers that the time has come to send out a signal heralding a new departure for the implementation of globalisation, and calls therefore on the major industrialised countries and, notably, on the European Union, to introduce a tax on capital transfers as proposed by Professor Tobin;
22. Is of the opinion that the contribution of the transnational corporations to sustained economic growth, determined by their global strategies and characterised by the search for increased competitiveness and higher profits is not always consistent with job creation and the realization of development objectives in many developing countries; in this context it would be convenient to analyse the impact of the merger trend among TNC on small and medium-sized enterprises in ACP countries;
23. Calls on TNCs to integrate development objectives of the host ACP countries into their business strategies and reiterates its support for global investment rules which assign equal priority to both the rights and responsibilities of investors, respecting minimum international agreed standards in the fields of labour, social, environmental and human rights;
24. Considers that debt cancellation should become part of the dialogue within the ACP-EU Partnership and that the EU should encourage other donors also to take measures to relieve or cancel debt ;
25. Considers that debt relief or cancellation should not be at the expense of official development assistance and that the EU should work with other donors to ensure that the Highly Indebted Poor Countries debt relief package is fully funded;
26. Believes that consideration should be given to the creation of an International Debt Arbitration Panel to restructure or cancel debts where debt service has reached such a level as to prevent the country providing necessary basic social services;

**Environment**

27. Considers that the emergence of global environmental problems has brought about a new level of interdependence between industrialised and developing countries;

28. Advocates a solution to the serious environmental global problems, on the basis of the recognition of the ecological responsibility of the North and the principle of common but differentiated responsibilities between developed and developing countries, and highlights the need for developing countries to gain access under preferential terms to the appropriate financial resources and technologies in order to ensure a sustainable development as provided in Agenda XXI;

29. Affirms that the United Nations Conventions on Climate Change, the Convention to Combat Desertification and the Biodiversity Convention are an appropriate framework to promote sustainable development in developing countries, and that South-South cooperation could contribute to the implementation of these conventions;

30. Is concerned that a combination of policy and market failures — for instance, huge subsidies for non-sustainable practices and the failure to internalise the environmental costs of production and consumption — is undermining the opportunities for sustainable development;

31. Notes that emission rights trade is not a solution to the growing problem of climate change;

32. Emphasizes the need to work towards harmonising the TRIPS Agreement with the provisions of the sustainable use and conservation of biodiversity in the Convention on Biodiversity;

33. Notes the regular incidence of natural disasters and their nefast effects on the development of small and vulnerable economies, in particular Small Island Development States (SIDS), and calls for increasing international assistance for setting up and strengthening national, subregional, regional and international disaster prevention, preparedness and management mechanisms, including early warning systems;

**Technology and Knowledge**

34. Considers that full advantage of the unique opportunity offered by IT should be taken to ensure that its vast benefits reach all humankind by undertaking efforts to make it more widely accessible to, and within, developing countries;

35. Recommends measures to concentrate the potential of communications and information technology on the development of the South, through the adoption of policies and measures that should narrow the gap between developed and developing countries in information and communication technologies, and to strengthen information technology networks at the regional, sub-regional and inter-regional levels with links to global networks;

36. To establish also a South-South network, linking research and development institutions and other centres of excellence in order to enhance the South's efforts in stabilising strategic South-South programmes of research and development on the protection of vaccines, drugs and diagnostics for the prevention and cure of major diseases in the South, such as malaria, tuberculosis and HIV;

37. Stresses the need to encourage South-South transfers of skills;

38. Invites the Commission and the signatories of the ACP-EU Partnership Agreement to explore the possibility of formulating proposals to ensure that the TRIPS agreement promotes development in ACP countries, including the possibility for a code of conduct for all countries which facilitate the access to, and the dissemination and transfer of technologies on concessional and preferential terms from developed to developing countries; the review of the TRIPS agreement as mandated in Art. 27 and 71 should make it more responsive to the needs of the South and to ensure access of developing countries to knowledge and technology on preferential terms;

39. Deeply concerned about the spread of the HIV/AIDS pandemic which threatens to undermine advances achieved in the social and economic fields in ACP countries, calls on the ACP governments to draw up broad national action plans on HIV/AIDS awareness and prevention and to arrange without delay for the requisite health measures in the field of care and medical treatment, urges the international community to adopt concrete measures to mitigate the disastrous effects of HIV/AIDS, including encouraging local production and universal distribution of and ensuring access to affordable drugs together with the countries concerned;

40. Calls, in the event of an insufficient reduction in the prices of medicines for the treatment of HIV/AIDS and the resultant diseases, for application of the principle of free granting of licences to the states concerned to manufacture and market these medicines, on the grounds that a medical emergency is involved;

#### **Democracy and Global Governance**

41. Considers that it is required to develop the political dimension of globalisation which, at present is largely absent from international relations; stresses therefore the importance of political dialogue within the ACP-EU partnership and calls on EU and ACP governments to take the opportunity jointly to exert influence at international level to ensure that globalisation takes into account the development dimension and that institutions are created in which developing countries can make their voices heard on an equal footing;

42. Supports the European Parliament's initiative for the establishment of a world-wide parliamentary assembly for the WTO with fair representation from developing countries and calls on the Member States of the EU to take steps to support increased parliamentary oversight of the WTO including:

- periodical reports and debates in the ACP-EU Joint Parliamentary Assembly, the European Parliament and national parliaments;
- financial and technical support for capacity-building measures in developing countries aimed at enhancing the ability of national parliaments to exercise effective democratic supervision;
- support for the development of a parliamentary dimension to the WTO, accompanied by all necessary measures to ensure that parliamentarians from all countries are able to participate on an equal basis;

43. States the need for concrete mechanisms that will guarantee full and effective participation by the South in international decision-making, on an equal basis. In this regard the international machinery through which global norms are developed and actions taken must ensure that the countries of the South can participate on an equal footing in decisions which affect them most of all;

44. Moreover, the international economic governance institutions must promote broad based decision-making which is essential if we are to have a more equitable global political economy;

45. Considers that there is a need to involve civil society in accordance with its own modes of expression in order to render the process of globalisation more democratic, just and transparent;

#### **North-South and South-South relations**

46. Stresses that regional cooperation and integration is the most meaningful approach for the ACP countries to face the challenges of globalisation and take full advantages of its opportunities; encourages the establishment of appropriate structures at the regional and subregional levels in ACP countries, aimed at removing barriers to the free movement of goods, services and capital;

47. Emphasises that less developed countries are at a particular disadvantage in the current phase of globalisation and liberalisation and urges the international community to take special initiatives for them, particularly in regard to the eradication of poverty, equitable implementation of the WTO agreements, free access of their exports in the world markets, debt cancellation, increased ODA and incentives for Foreign Direct Investment (FDI) to LDCs;

48. Considers that a stronger link between debt relief and poverty reduction is needed, with the emphasis on investment in basic health, education, infrastructure and other productive investments;

49. Encourages the major economies of the North, particularly the G-8, to enhance coordination and coherence of their macro-economic policies with development objectives of the South;

#### **The new ACP-EU Partnership Agreement**

50. Affirms that after the disappointing results of Seattle, the new ACP-EU partnership represents an opportunity to develop a model of true and deep North-South relationship in a globalised world;

51. Stresses the need for all aspects of ACP-EU cooperation, including trade arrangements to be aimed at poverty eradication. Coherence should also be ensured between all other European policies and poverty eradication, including agricultural policies; mechanisms for monitoring coherence between all EC development and other policies should be established as well as mechanisms that enable assessments of the Agreement's contribution to poverty eradication;

52. Calls on the Commission to ensure that development concerns are taken into account by the DG for Trade when negotiating REPAs/EPAs or ATAs;

53. Recalls that Lomé preferences and protocols precisely support the objectives laid out in the preamble to the Agreement establishing the WTO (raising standards of living, ensuring full employment, and promoting sustainable development), and the WTO's own Plan of Action for LDCs demonstrates that there is a case to be made for treating poorer countries differently; therefore either a waiver from the rules, or better still a change in the rules, will be critical to ensure the continuance of the vital relationship between the EU and the ACP;

54. Stresses that for the ACP-EU partners, obtaining a waiver to the new Agreement is a priority that could greatly restore their confidence with the WTO as a member-driven organisation;

55. In order to enable civil society — particularly in the South — to be a true actor of the partnership, considers it necessary to establish and implement a policy on information disclosure to the public by ACP and EU decision makers on proposals made in policy and programming; considers it essential that the participation of representatives of civil society in the EU states should be designed to assist partners in the South with a view to attaining lasting autonomous participation by the local population in the ACP states;

56. Calls on the ACP and EU partners, in order to achieve an enabling environment and support from the international community on the objectives of the new Agreement, which is essential to its success, to step up their cooperation and coordination in other fora;

57. Stresses the importance of the development objectives identified at the major UN conferences and draws particular attention to the commitments made there in the fields of social and human development, food safety, the environment, trade and enhancing respect for women's rights; calls on the EU and ACP states, under the ACP-EU partnership, to work further to create an integrated and coherent political strategy for development cooperation;

58. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the WTO.

**RESOLUTION<sup>(1)</sup>****on the political situation in Guinea**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000;
- A. angered at the sentencing to five years' imprisonment of Alpha Condé, Guinean Member of Parliament and leader of the Guinean People's Rally (GPR), announced on 11 September 2000 by the Guinean State security court,
- B. whereas Mr Condé, leader of the Guinean People's Rally opposition party, who stood against General Lansana Conté in the presidential elections of December 1998, was arrested just before the results were announced, without his parliamentary immunity being lifted,
- C. whereas rules on fair trials as set out in international treaties ratified by Guinea were not respected in that access to files was denied, pressure was brought to bear on the defence lawyers, there was no guaranteed right of appeal, etc.,
- D. recalling that the current President of Guinea, General Lansana Conté, came to power in 1984 as the result of a military coup,
- E. whereas this trial and sentencing are evidence of the flagrant violations of human rights and the lack of respect for democratic principles that have prevailed in Guinea for several years, and constitute a worrying deterioration in the political situation,
- F. whereas in addition to the case of the emblematic figure of Alpha Condé, repression of any form of opposition is on the increase, as evidenced by the situation of the President of the National Assembly, Biro Diallo, whose passport was confiscated and safety threatened after he defended the rights of Mr Condé,
- G. concerned at the growing instability on the borders between Guinea, Liberia and Sierra Leone, which has already resulted in the deaths of dozens of people since the beginning of September,
- H. recalling that this instability is partly the result of a dangerous involvement in neighbouring conflicts and partly of divisions within the Guinean army itself,
- I. having regard to the presence of more than 450 000 refugees (Liberian and Sierra Leonean) on Guinean soil, which is contributing to the deterioration of the situation and of the political and economic climate,
- J. deploring the fact that this deterioration is being exacerbated by developments in the management and implementation of cooperation agreements,
- K. whereas respect for human rights and democratic principles must constitute the cornerstone of the process of stabilisation and reconciliation in the region,
- L. horrified at the assassination of Mensah Kpognon, the representative of the United Nations High Commissioner for Refugees, in an attack on the town of Macenta, near the Liberian border,
- 1. Strongly condemns the verdict delivered by the Guinean State security court;
- 2. Denounces the political nature of this trial, which aimed to remove Alpha Condé from Guinean political life and prevent him from standing as a candidate in the presidential elections in 2003;
- 3. Calls on the Guinean authorities and President General Lansana Conté to take the necessary action to restore immediately liberty and the full exercise of civil rights to Mr Condé;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

4. Condemns the pressure brought to bear on the defence lawyers and witnesses throughout the trial of Mr Condé and his co-defendants;
5. Considers that freedom of movement both within the country and outside it, which forms part of the Universal Declaration of Human Rights, must be guaranteed for every Guinean citizen;
6. Urges the Guinean authorities to respect the rule of law and democratic principles in order, in particular, that the opposition's rights and freedom of expression are guaranteed;
7. Is concerned by the Guinean government's resolve to forge ahead regardless and by its public statements, which seek to direct popular discontent towards scapegoats;
8. Condemns the assassination of Mensah Kpognon, the representative of the United Nations High Commissioner for Refugees (UNHCR);
9. Reaffirms the territorial integrity of Guinea and calls for respect for its borders in accordance with the principles of the United Nations Charter and the Organisation of African Unity (OAU), but is concerned by the use of this principle to justify an increase in repression;
10. Supports the Council's offer to ECOWAS of assistance with possible future moves to guarantee the territorial integrity and stability of Guinea, but insists that the country's internal political situation be taken into account;
11. Calls on the Commission to make proposals on the basis of the report currently being drawn up by the local representatives of the Council and Commission, expressing the European Union's concern at the deterioration of the political situation and its disquiet at signs that the Guinean authorities are becoming more intransigent;
12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the OAU, ECOWAS and the Government of Guinea.

#### RESOLUTION <sup>(1)</sup>

##### on the armed attacks on the southern border of Guinea-Conakry

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - having regard to the United Nations communiqué of 19 September 2000,
  - having regard to the final communiqué issued at the Concertation Meeting of the Ministers for Defence and Security of the River Mano Union Member States held in Bamako (Mali) on 16 September 2000 on the initiative of His Excellency Mr Alpha Oumar Konaré, President of the Republic of Mali and President-in-office of the Economic Community of West African States (ECOWAS),
  - having regard to the OAU decision of 2 October 2000,
- A. whereas, since 1 September 2000, Guinea has suffered a number of armed attacks along its southern borders,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

- B. having regard to the growing scale of these attacks on the peaceful populations of Guinea along the entire length of its southern border, at Massadou (Macenta), Kolakhouré and Madina Woula (Kindia) and Pamelap, Dakhagbé and Farmoréah (Forécariah),
- C. whereas these attacks have claimed the lives of several hundred innocent civilians and caused major damage to property, as well as population displacements,
- D. whereas the acts perpetrated during these attacks included the murder of the local UNHCR representative, Mansa Kpognon and the abduction of another official, Laurence Djeya,
- E. whereas these attacks have worsened the humanitarian situation in Guinea which has, for ten years, provided aid, shelter, support and safety for almost 1 million Liberian and Sierra-Leonean refugees in accordance with its noble traditions of hospitality and fraternity,
- F. whereas these attacks are seeking to destabilise Guinea, whose enormous sacrifices, made to assist the refugees and maintain peace in Liberia and Sierra Leone, were greatly appreciated by the international community and the European Union,
- G. whereas this situation is causing great concern for Guinea and for the ECOWAS and constitutes a serious setback for efforts to strengthen peace and security in this sub-region,
1. Condemns these armed attacks against Guinean towns and villages situated along its borders with Liberia and Sierra Leone which are a violation of the principles of international law enshrined in the UN, OAU and ECOWAS charters;
  2. Deplores the massacre of the local populations and the wholesale destruction of their property;
  3. Calls for an immediate halt to these armed attacks and urges the international community and the European Union to ensure that such acts are never repeated;
  4. Appeals to the international community and the European Union to take appropriate measures to end this repeated and unjustified wave of aggression in order to avoid a resurgence of tension in West Africa;
  5. Appeals also to the international community and the European Union to become more involved in efforts to step up aid which is necessary to help Guinea face the continuing refugee problem and the humanitarian crisis arising from armed attacks on its territory;
  6. Calls on the European Union to step up its current programme of aid and urges it to implement aid and reconstruction programmes to assist the populations of the afflicted towns and villages in Guinea, in response to this particularly alarming humanitarian crisis;
  7. Welcomes the initiative by the ECOWAS President-in-office and supports all initiatives by this organisation to restore peace to this sub-region;
  8. Welcomes the stance adopted by the Guinean Government which, despite these armed attacks, has solemnly reaffirmed Guinea's continued willingness to provide assistance and shelter for all foreign citizens;
  9. Urges the speeding-up of the process leading to the signature of the Tripartite Agreement between Guinea, Sierra Leone and Liberia concerning the reintegration of displaced persons and the return of refugees to their country of origin;
  10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the OAU, ECOWAS and the Guinean Government.



**RESOLUTION<sup>(1)</sup>****on the situation in Sierra Leone**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000;
- recalling its previous resolutions on the conflicts in Africa and the situation in Sierra Leone;
- recalling the EU Presidency statements on Sierra Leone on 5 May 2000 and 7 June 2000;
- recalling the EU Council Regulation 1745/2000 of 3 August 2000 on the importation into the Community of rough diamonds from Sierra Leone;
- recalling the United Nations Security Council resolution 1318 (2000) pledging the promotion of durable peace and sustainable development in Africa on 11 September 2000;
- A. whereas the attacks by the Revolutionary United Front (RUF) on the United Nations peacekeeping forces are an international crime and represent a violation of the Lomé accord signed on 7 July 1999,
- B. whereas the conflict has claimed thousands of victims and created over 330 000 refugees,
- C. whereas the United Kingdom continues to deploy ground forces to train the United Nations Mission in Sierra Leone (UNAMSIL) forces — including soldiers from Nigeria and other African countries — and to help protect the capital, Freetown,
- D. welcomes the UK military operation to free eleven British soldiers held captive by the West Side Boys militia but regrets the loss of life,
- E. whereas the British presence has prevented a fresh murderous attack by the rebels on Freetown,
- F. whereas the United States is training Nigerian peace-keeping forces,
- G. whereas UNAMSIL's mandate, amended by the Security Council (resolution no. 1289/2000) authorises UNAMSIL to take all action necessary to perform its duties which include maintaining free access to humanitarian aid and protecting the vulnerable civilian population,
- H. whereas the presence of the United Nations Mission in Sierra Leone is being sought by all parties to the Lomé negotiations with the objective of establishing peace and securing the disarmament of the RUF,
- I. whereas one of the conditions imposed by the RUF in the Lomé peace negotiations was an amnesty for those guerrillas who waged a brutal campaign in January 1999, subject to the disarmament of the guerrilla forces,
- J. whereas international law makes no provision for amnesties for those guilty of genocide, crimes against humanity, war crimes and other violations of international humanitarian law,
- K. whereas Sierra Leone is one of the poorest countries in the world in spite of its significant natural resources, with a peaceful solution for Sierra Leone only possible through genuine regional co-operation including in the fight against the mainly RUF-controlled diamond smuggling,
- L. whereas the decision in July by the UN Security Council to ban diamond smuggling from selling be vigorously observed, enforced executed to the letter by all countries and parties to avoid illicit assistance to the rebels,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

- M. whereas thousands of children have been actively involved in the violence as child soldiers, while others have had their arms amputated in a massive campaign orchestrated by the RUF, leading to some 10 000 amputees in the country,
1. Strongly condemns the criminal actions of the RUF against the civilian population, the killing of UN peace-keepers and civilians, and the kidnapping of 400 UNAMSIL peace-keepers;
  2. Welcomes the UN Security Council decision to increase the number of UNAMSIL forces from its current 12 440 to 20 500;
  3. Welcomes the strengthening of UNAMSIL's mandate by the 15-member UN Security Council to 'deter and, where necessary, decisively counter the threat of RUF attack by responding robustly to any hostile actions or threat of imminent and direct force';
  4. Warns that the Sierra Leone and Liberia violence is spilling over into Guinea and that there may be an upsurge in fighting after the rainy season ends in November and urges the UN to deploy rapidly the additional forces;
  5. Calls on the guerrillas to surrender immediately their weapons, to stop using force against UNAMSIL, and to take part in discussions to resolve their differences with the Government of Sierra Leone;
  6. Condemns the smuggling of RUF-controlled diamonds which provides assistance to the rebels;
  7. Asks, in order to reinforce this ban on diamond smuggling that ECOWAS, OAU, and UN send observers along the borders of the three Mano River Union countries, namely Liberia, Sierra Leone and Guinea, so as to verify who is smuggling the diamonds from Sierra Leone and halt this illicit smuggling, on which matter a UN mission is currently visiting Liberia and Sierra Leone;
  8. Calls on the United Nations, the Organisation of African Unity, the European Union, the European Commission and EU Member States to take appropriate measures against diamond trafficking, which fuels the war, and to protect the civilian population, which is bearing the brunt of the civil war;
  9. Calls on the RUF forces and their leaders, Foday Sankoh and Sam Bockarie to recognise the constitutional government of Sierra Leone and to respect the UNAMSIL operations in the framework of the peace process launched in July 1999;
  10. Urges the surrounding countries to refrain from any action liable to contribute to the continuation of the war in Sierra Leone and to support the regional peace-building efforts in the framework of the OAU and ECOWAS;
  11. Calls on the European Union to work with the OAU, ECOWAS and the UN to prevent the conflict spreading to other countries in the grip of instability in the region as hundreds of thousands of people have been displaced by the Sierra Leone conflict;
  12. Demands the release of all abducted children taking part in this conflict;
  13. Calls on the Commission to mobilise the resources necessary to provide humanitarian assistance to Sierra Leone and neighbouring countries facing a refugee crisis, to launch a special programme for the rehabilitation of former child soldiers and to provide assistance for amputees;
  14. Considers that the rebels and all other perpetrators of human rights violence should be held accountable for their actions and brought to justice;
  15. Instructs the Co-Presidents to send this resolution to the ACP-EU Council, the Secretary Generals of the United Nations and the OAU, and to the governments of Sierra Leone, Burkina Faso and Liberia.

**RESOLUTION<sup>(1)</sup>****on the situation in Burundi**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
- having regard to its earlier resolutions on the situation in Burundi,
- having regard to the statements by the EU Presidency and the President of the European Commission on 29 August 2000,
- having regard to the accord signed in Arusha on 28 August 2000 concerning peace and reconciliation in Burundi,
- A. whereas an internal conflict has been raging in Burundi since 1993, in which more than 200 000 people have been killed and over 800 000 people displaced, the majority of them facing famine and disease,
- B. whereas, after protracted negotiations and thanks in particular to the relentless efforts of former South African President Nelson Mandela, a peace accord was signed in Arusha on 28 August 2000, which represents a new and important step on the way to national reconciliation,
- C. whereas the peace accord was signed by the negotiating parties in the presence of the mediator, Nelson Mandela, a representative of the EU, a number of regional state leaders, and US President Bill Clinton,
- D. deeply deploring the fact that the parties could not agree on the procedure for a cease-fire prior to the signing of the protocol and that the fighting continues in the country, the main victims being innocent civilians,
- E. regretting that the meeting of 20 September 2000 in Nairobi for the signature of the cease-fire protocol was boycotted by the rebel forces,
- F. whereas the peace accord seeks to reestablish a fairer share of responsibility for managing State affairs between the different groupings making up the population of Burundi,
- G. whereas the peace protocol seeks to establish a fairer distribution of power between the minority Tutsi and the majority Hutu population,
- H. committed to the democratic principle of a multi-party system,
- I. whereas the peace process and national reconciliation must also be based on justice and on prosecution of those responsible for the ethnic violence,
- J. whereas there can be no lasting peace in Burundi without peace in the Great Lakes region and in the Democratic Republic of the Congo,
- K. whereas owing to the WFP's (World Food Programme) lack of funds, since mid-July there has been a reduction in food supplies to the camps for Burundian Hutu refugees in Tanzania,
- L. whereas the remaining food reserves in the refugee camps in Tanzania are not expected to last much longer,
- M. whereas the current reduction in WFP food supplies could endanger that organisation's ability to manage any other population movement in the area, including the repatriation of the refugees to Burundi,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

1. Welcomes the signing of the peace agreement at the Arusha Summit and congratulates President Mandela and the Burundian negotiators for this achievement, which represents an important step forward in the peace process;
2. Calls on all parties to agree on the cease-fire arrangements to put an end to the continuing violence;
3. Urges the parties which signed the protocol to commit themselves jointly to the implementation of the provisions agreed and to redouble their efforts to resolve the remaining problems in order to reach a comprehensive peace settlement;
4. Calls on the parties which refused to sign to review their positions and make the vital compromises;
5. Calls upon all Burundians to abandon violence, and in particular calls upon the armed groups to cease hostilities and join the negotiations;
6. Calls on all parties to ensure that the presence and participation of all representatives taking part in the negotiations can be guaranteed;
7. Calls on the neighbouring countries to support the peace process in Burundi by ensuring that their territory is not used in any way to threaten the security of the Burundian people;
8. Urges in particular the United Nations High Commissioner for Refugees (UNHCR) and the Tanzanian authorities to protect women living in refugee camps from rape and violence;
9. Calls for a resumption of structural aid to Burundi, to accompany the peace process;
10. Calls for collective administration during the transition period with responsibilities being shared within a government of national unity;
11. Calls for free elections to be organised, in accordance with the Arusha Accord;
12. Welcomes the process of closing the Hutu regroupment camps;
13. Points out that a free and responsible press can have a major role to play in the process of peace, reconstruction and national reconciliation;
14. Calls for the freeing of political prisoners, provided that those who have committed crimes against humanity are held criminally responsible for their actions;
15. Calls on the Commission, the Council and the representatives of the Member States in international organisations to take, as a matter of urgency, the necessary measures to alleviate the situation in the camps for Burundian Hutu refugees in Tanzania;
16. Calls for measures to protect civilians assisting in the return of refugees and to guarantee free access to humanitarian aid for the people;
17. Considers it vital to build up an army which is representative of the nation as a whole and therefore urges a swift demobilisation of all belligerent parties;
18. Instructs its Co-Presidents to forward this resolution to the Commission, the ACP-EU Council, Mr Mandela, the OAU and the governments of Burundi, the Democratic Republic of Congo, Tanzania and Uganda.

**RESOLUTION<sup>(1)</sup>****on the situation in the Democratic Republic of Congo**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - having regard to its previous resolutions on the situation in the Great Lakes Region and in the Democratic Republic of Congo in particular,
  - having regard to the EU Presidency Declarations of 9 June 2000 and 23 August 2000,
- A. whereas an armed conflict has been raging in the DRC over the past two years, with the active military involvement of six neighbouring countries, posing a serious threat to the stability of the region and causing further death and destruction as well as a new exodus of refugees,
- B. whereas the Lusaka cease-fire agreement, signed on 10 July 1999 by the six countries and the different rebel groups involved in this conflict, has been violated by all sides ever since but remains the most viable basis for the settlement of the DRC conflict,
- C. whereas the UN Observer Mission in Congo (MONUC) has the task of overseeing the implementation of the cease-fire agreement and investigate violations, as well as establishing and maintaining a permanent liaison, on the ground, between the leaders of the parties to the conflict and, eventually, ensuring the disengagement of forces, to be followed by a phased withdrawal of foreign troops,
- D. deploring the mounting tensions between the Congolese authorities and MONUC, in particular as regards the implementation of the Lusaka Agreement and the role of MONUC,
- E. whereas the Constituent and Legislative Assembly installed on 21 August 2000 in Lubumbashi is not really compatible with the national dialogue provided for by the Lusaka Agreement,
- F. deploring the fighting between Rwandan and Ugandan forces in Kisangani in June 2000, which has resulted in the deaths of civilians and damage to property, and has put the safety of population and UN personnel at unacceptable risk,
- G. whereas the Lusaka Agreement includes a pledge from neighbouring countries for an orderly withdrawal of their forces as well as an undertaking by all sides to engage in a national dialogue on Congo's future with the participation of representatives of civil society and to secure Congo's borders in order to guarantee the safety of neighbouring countries,
- H. whereas the obstacles to the implementation of the Lusaka Agreement are enormous given the grave instability and ethnic tensions that persist in the region and the continuing presence of refugees across the region which has resulted in a tremendous humanitarian crisis,
- I. whereas respect for human rights and democratic institutions must be an essential part of the reconciliation process in the region,
1. Deplores the delays in the implementation of the Lusaka Agreement and strongly condemns the continuing incidents of human rights violations including summary executions, acts of torture, harassment and rape, ethnic propaganda, incitements to ethnic violence and the enlistment of children as soldiers;
2. Reaffirms its commitment to the Lusaka Agreement, which offers the only realistic prospect of lasting peace and security in the Great Lakes region, and is crucial for the return and reintegration of refugees and displaced people into their regions of origin;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

3. Calls on all parties to abide by their obligations under the Lusaka Agreement and calls in particular on the Congolese government to drop its insistence on a revision of the agreement and to accept the facilitator of the inter-Congolese dialogue, former Botswana President Ketumile Masire, as well as to cooperate fully with MONUC in the execution of its mandate;
4. Calls upon the Congolese government to respect human rights, democratic principles and the rule of law, including the right of expression for opposition parties and civil society;
5. Reaffirms that the national dialogue provided for in the Lusaka Agreement is the basis for genuine reconciliation among the Congolese and an essential feature in resolving the current conflict; therefore calls on the Constituent and Legislative Assembly recently installed in Lubumbashi to provide a positive contribution to preparing for the national dialogue without taking its place;
6. Appeals to the international community to step up support to the Joint Military Commission for it to carry out its mandate effectively;
7. Supports the mediation efforts of the Zambian President Chiluba under the SADC initiative for a peaceful solution to the DRC conflict;
8. Strongly condemns the fighting between Rwandan and Ugandan forces in Kisangani and considers that such actions are incompatible with the Lusaka Agreement, the 8 April 2000 Kampala Disengagement Plan and other bilateral commitments made by the belligerents and welcomes the withdrawal of the parties involved in accordance with the Security Council Resolution 1304 of 2000;
9. Reaffirms the territorial integrity and national sovereignty of the Democratic Republic of Congo, including over its natural resources, in accordance with the principles of the Charters of the United Nations and the OAU; in this regard reiterates its call for the immediate cessation of hostilities and the orderly withdrawal of all foreign forces from the territory of the DRC in accordance with the Lusaka Agreement, and for the security of the borders of neighbouring countries to be guaranteed;
10. Draws attention to the European Union's duty to support efforts to implement the Lusaka Agreement and calls on it to take appropriate political and economic action without delay, with a view to ensuring that the agreement is properly implemented;
11. Calls on the Council and the Member States to honour the undertakings they have given with regard to controlling arms exports to the region and preventing the illicit sale of such arms and the trafficking which finances it;
12. Urges the EU to step up its humanitarian aid to the region to cope with the continuing presence of refugees, and its support to the neighbouring countries so as to enable them to help returnees;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the signatory states of the Lusaka Agreement, the Secretary-General of the United Nations, the OAU and the governments of South Africa, Zambia and Tanzania.

**RESOLUTION<sup>(1)</sup>****on improving regional infrastructures in Central Africa**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
- A. whereas, at the Bureau meeting of 10 July 2000 in Hanover, the representative of the Central African Republic and Konrad Schwaiger, Vice-President of the ACP-EU Parliamentary Assembly, stressed the need for a programme to improve regional infrastructures in central Africa,
- B. whereas the reorganisation of working methods requires not only discussion of crises and emergencies but also support for long-term regional development projects,
- 1. Calls on the Commission, in concert with all the countries of the subregion, to submit a programme to build and improve regional infrastructures in central Africa;
- 2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on the situation in Zimbabwe**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
- having regard to the new ACP-EC Partnership Agreement signed in Cotonou, Benin on 23 June 2000,
- having regard to the OAU Resolution of 12 July 2000 on the situation in Zimbabwe,
- having regard to the communiqué of the SADC Heads of State and Government issued in Windhoek, Namibia on 7 August 2000 on Zimbabwe,
- A. referring to the principles of the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,
- B. recognising that there is no single political system or single universal model for electoral processes equally suited to all countries and their peoples, and that political systems and electoral processes are subject to historical, political, cultural and other factors,
- C. recalling that the inequitable distribution of land was one of the primary causes of the War of Liberation that brought independence to Zimbabwe in 1980 following a protracted armed struggle against colonial occupation;
- D. convinced that the resolution of the land question remains a central element of economic restructuring, democratisation and decolonisation and that uncertainty and contestation and the land question has contributed to food insecurity, withdrawal of investment and donor support and unemployment,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

- E. recalling also the undertaking made by the United Kingdom at the Lancaster House Talks in 1979 to fund the land acquisition and resettlement programme in Zimbabwe,
- F. whereas the parliamentary elections which took place in Zimbabwe on 24 and 25 June 2000 were observed by observers and monitors from organisations such as the Organisation of African Unity (OAU), the Southern African Development Community (SADC), the ACP, the Commonwealth, the EU and several thousand local Zimbabwean monitors,
- G. whereas the elections were won by the Zimbabwe African National Union — Patriotic Front (ZANU-PF) of President R.G. Mugabe by 62 seats to 57 for the Movement for Democratic Change (MDC) and 1 seat for ZANU Ndonga, reflecting a plurality of views among the people of Zimbabwe,
- H. whereas although there were serious problems of violence in the run-up to the elections, the casting of ballots during the two days of polling was conducted in a calm atmosphere and a peaceful manner and all the political parties which participated in the elections accepted the final result,
- I. whereas the establishment of democracy in developing countries like Zimbabwe is a continuous process which requires assistance in building both human and institutional capacity,
1. Welcomes the holding of the fifth free and fair parliamentary elections in Zimbabwe on 24 and 25 June 2000 and congratulates the Government and people of Zimbabwe on the outcome of the elections;
  2. Considers that the outcome of the elections will be positive for the development of a viable multi-party democracy in Zimbabwe;
  3. Emphasises that the recent electoral process in Zimbabwe was characterised by three separate but not unrelated phases, namely the election campaign, the casting and counting of ballots and the declaration of results;
  4. Expresses its satisfaction with the peaceful, free and fair manner in which the people of Zimbabwe cast their ballots and commends them for turning out in large numbers during the elections to exercise their democratic right to elect the government of their choice;
  5. Recognises that the outcome of the elections constitutes an expression of the genuine wishes and aspirations of the people of Zimbabwe;
  6. Noting that the serious economic difficulties facing the Zimbabwean economy threaten the viability of Southern African economies;
  7. Calls on all political leaders, both Government and opposition, to create a climate for normalised political activity and contestation according to the norms of democratic practice; and to act to break the potential vicious cycle of inflammatory statements and retaliation;
  8. Calls on the European Union and other interested organisations to assist Zimbabwe to support capacity-building programmes aimed at strengthening its democratic institutions and to tackle the challenging economic reform measures currently under way;
  9. Calls on the United Kingdom to honour its obligations in accordance with the provisions of the Lancaster House Agreement of 1979 relating to the funding of the land acquisition and resettlement exercise for millions of landless peasants in Zimbabwe;
  10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations, the OAU, SADC and the Government of Zimbabwe.



**RESOLUTION<sup>(1)</sup>****on the situation in Ethiopia and Eritrea**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000;
  - having regard to its previous resolutions on the conflict between Eritrea and Ethiopia,
  - having regard to the Agreement on Cessation of Hostilities signed in Algiers on 18 June 2000,
  - having regard to the statement of the Feira European Council of 29 June 2000 and the statement by the French Presidency on behalf of the European Union on 12 July 2000, reiterating the European Union's support for the peace plan proposed by the OAU,
  - having regard to the statement by the French Presidency on behalf of the European Union of 5 September 2000, calling on the Governments of Ethiopia and Eritrea to put an end to acts of violence against civilians, in particular those which have occurred since the conclusion of the Agreement on Cessation of Hostilities, and to respect the Geneva Convention,
  - having regard to relevant international human rights and humanitarian law concerning the protection of civilians and POWs,
  - having regard to the decisions of the UN Security Council on the deployment of the peacekeeping force along the length of the shared border,
  - having regard to the decision of the European Commission to grant an additional 20 000 tonnes of cereal aid, to be distributed by the World Food Programme, to the victims of drought in these countries and the refugees in Sudan,
- A. bearing in mind that the conflict has resulted in tremendous loss of life and displacement,
1. Welcomes the signing of the Agreement on Cessation of Hostilities and commends the OAU, President Bouteflika of Algeria, the UN, the United States of America, the EU and other partners for the efforts made and the results achieved in the peace process,
  2. Calls for the consolidation of the agreed cease-fire, the rapid implementation of the Agreement on Cessation of Hostilities of 18 June 2000 and the continuation of the peace process with a view to dealing with the unresolved problems;
  3. Calls for the necessary resources to be made available to enable the UN peacekeeping mission to be deployed as soon as possible;
  4. Calls for the delimitation of borders not through force but in such a way as to fully respect the process envisaged by the OAU peace plan;
  5. Calls on the international community to fulfil its commitment to supporting implementation of the agreement;
  6. Calls for a resumption of aid, with priority for food security, health and education;
  7. Calls for the protection, in both countries, of the civilian populations from the neighbouring country;
  8. Underlines the need for granting urgent, immediate and unconditional access by the ICRC and other human rights and humanitarian agencies to all sites where civilians and POWs are currently detained;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

9. Urges that all those wishing to return to their country of origin should be allowed to do so, in conditions of safety and under the observation of the ICRC;
10. Calls on both countries to immediately begin demining activities and the release of the POWs;
11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Governments of Ethiopia and Eritrea.

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**RESOLUTION <sup>(1)</sup>****on support for crossborder cooperation between Haiti and the Dominican Republic**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - having regard to the report by Karin Junker and others on the mission of the European Parliament's Committee on Development and Cooperation to Haiti and the Dominican Republic,
  - having regard to the resolution on Haiti adopted by the ACP-EU Joint Assembly at Abuja in March 2000,
  - having regard to the action plan of 25 January 2000 for development of the border zone approved and signed by the Republic of Haiti and the Dominican Republic,
  - having regard to the statement of 7 September 2000 by H.E. Mr Hipolito Mejia, President of the Dominican Republic, to the United Nations Millennium Summit,
- A. whereas for many years the Republic of Haiti and the Dominican Republic, which share the island of Hispaniola/Quisqueya, have faced common development problems in the border zone which call for common solutions agreed between the authorities of both countries,
- B. whereas under the Lomé IV Convention the Republic of Haiti and the Dominican Republic were accepted together as full members of the ACP-EU partnership in December 1989,
- C. whereas through a gradual process, both countries have identified common priorities for development and have secured funding for several crossborder programmes under the Lomé IV Convention,
- D. whereas the purpose of the efforts made by both countries is to identify common problems and find solutions aimed at resolving all instances of disagreement and stepping up cooperation between Haiti and the Dominican Republic,
- E. whereas on 18 June 1998 the Ministers for Cooperation of the two republics signed a Memorandum of Understanding in the framework of the Haiti-Dominican Republic joint committee, aimed at identifying joint projects in the border zone to transform an area of extreme poverty into a hub of sustainable development,
- F. whereas on 24 and 25 January 2000 in the Republic of Haiti the first cooperation meeting between the two countries was held, which identified priority areas and sectors for development,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

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- G. whereas the governments of Haiti and the Dominican Republic approved a crossborder bilateral action plan, worth USD 281.2 million, in the following priority areas and sectors: infrastructure, education, energy, agriculture, environment, health and hygiene, tourism and productive activities,
- H. whereas there is a need for international solidarity to help the two countries, and Haiti in particular, to meet the numerous economic, social and political challenges,
1. Supports the efforts at joint dialogue by the governments of Haiti and the Dominican Republic aimed at finding joint solutions to their common problems;
  2. Draws the attention of the ACP-EU Joint Parliamentary Assembly to the agreement signed by the two governments and their desire to transform an area of poverty into an area of sustainable development;
  3. Calls on the European Commission and the Member States of the European Union and the international community to support the action plan of Haiti and the Dominican Republic;
  4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission

# RESOLUTION<sup>(1)</sup>

## on the elections in Haiti

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - whereas the European Union Presidency has commenced consultations with the Haitian authorities concerning the situation of the country, in accordance with Article 96 of the Cotonou Agreement, concerning human rights violations, respect for democratic principles and the rule of law,
- A. having regard to the general and municipal elections held on 21 May 2000 and welcoming the very high turnout (60 %) by the Haitian population and the peaceful nature of the elections,
  - B. whereas the result of these elections, particularly the method used by the Provisional Electoral Council to calculate vote percentages, is strongly disputed by the people and by the international team of monitors sent in by the Organisation of American States,
  - C. whereas all observers noted that the method of ballot counting used by the Provisional Electoral Council infringes the electoral provisions of the constitution and the electoral legislation now in force,
  - D. having regard to the resignation of the President of the Provisional Electoral Council in protest at the method of calculating the result,
  - E. noting that, following the withdrawal of the CEP president Mr Manus and two other opposition members, President Préval has appointed three new representatives from the Lafamni Lavallas Party, with the result that this body can no longer be guaranteed as representative,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

- F. having regard to the numerous demonstrations held in September in the run-up to the presidential elections in Haiti in peaceful protest by the people against government conduct,
  - G. taking the view that political stability and respect for democratic principles and human rights are essential as a basis for sustainable development in Haiti,
  - H. noting that the presidential elections and elections for the renewal of one-third of the Senate are scheduled to be held at the end of November 2000,
1. Calls on the Provisional Electoral Council to comply with the method of calculating votes laid down by the electoral legislation in force and the relevant provisions of the constitution;
  2. Calls for the restoration of the representative balance of the CEP and the consistent application of its internal rules of procedure;
  3. Condemns the threats uttered against the president of the Provisional Electoral Council prompting him to flee the country;
  4. Calls for the presidential elections scheduled for November 2000 to be held in accordance with international rules and the provisions of the constitution and in the presence of international monitors;
  5. Considers that development aid can only be granted subject to respect for human rights, democratic principles and the rule of law as laid down in Article 9 of the Cotonou Agreement;
  6. Urges that support be given to the efforts of the Haitian people to strengthen democracy and encourage sustainable development;
  7. Instructs its Co-Presidents to forward this resolution to the Government of Haiti, the ACP-EU Council and the Commission.

# RESOLUTION <sup>(1)</sup>

## on the impact on Belize of Hurricane Keith

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - having regard to previous resolutions regarding the mitigation of the consequences of natural disasters,
- A. having learned of the extensive damage caused to Belize by Hurricane Keith during its landfall passage over that country on 1-4 October 2000,
  - B. mindful of the human suffering caused by the displacement of more than 4 000 persons as a result of the loss of homes,
  - C. aware of the devastating effects on the country's infrastructure and on the agricultural, fisheries and tourism sectors, which will adversely affect the economic and social progress achieved by Belize,
1. Draws the attention of the Commission, the EU Member States and the ACP States to the situation in Belize which has suffered the destructive force of the hurricane;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

2. Expresses concern for all those affected;
3. Calls on the Commission and the EU Member States to assist the Government and People of Belize in their post-disaster recovery and rehabilitation efforts;
4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

### RESOLUTION <sup>(1)</sup>

#### on the reform of the EU banana regime

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
- having regard to its previous resolutions on bananas, in particular those adopted on 6 October 1994 at Libreville, 3 February 1995 at Dakar, 22 March 1996 at Windhoek, 25 September 1996 at Luxembourg, 20 March 1997 at Brussels, 30 October 1997 at Lomé, 22 April 1998 at Port Louis, 31 March 1999 at Strasbourg, and 23 March 2000 at Abuja,
- having regard to the resolutions adopted in this regard by the ACP Council of Ministers, including at its 71st Session in Cotonou, Benin from 20 to 21 June 2000,
- A. aware of the considerable importance of banana production and trade to the economic and social stability and development of several ACP countries and certain outlying regions of the Community,
- B. recalling that the WTO panel rulings last year found the revised European banana regime governing ACP banana exports to the European Community incompatible with WTO rules, particularly in relation to the amounts allocated by the quota arrangements and the licensing regime,
- C. whereas the European Community had committed itself and had made strenuous efforts to reform the banana import regime to make it compatible with WTO rules,
- D. whereas there is a structural surplus of bananas on the world market, so that in the absence of an effective restriction of the quantity of imports there would be an over-supply of bananas and prices would plummet to levels which would drive out ACP and EU suppliers, none of whom have alternative markets,
- E. whereas the Council has asked for the examination of the operation of a system of access to the import quotas, based on first come, first served, as well as the initiation of GATT Article XXVIII negotiations,
- F. whereas the United States, which is not an exporter of bananas to the EU, continues to apply punitive trade measures against European exporters totally unconnected with the banana dispute, and, furthermore, the United States is threatening to further compound the damage of the sanctions by rotating the products on the list and in certain cases raising the duty rates way above the already excessive level of 100 % which it invokes,
- G. concerned that the continued application by the United States of trade sanctions against the European Community unnecessarily complicates attempts to resolve the banana dispute and that they are counter-productive to the search for a fair negotiated settlement of the banana dispute in that they undermine the safeguarding of the legitimate interests of weaker suppliers from the ACP,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

- H. taking the view that this type of unilateral action by the United States is inconsistent with the spirit of WTO rules and obligations and threatens to undermine the multilateral trading system,
- I. further concerned that such action is clearly directed at increasing the pressure on the European Union to agree to a banana regime which would give additional access to fruit marketed by US companies, most likely at the expense of small, vulnerable producers in the ACP,
- J. whereas the ACP have concluded that a 'first come, first served' system would not assure sale of their bananas in their only market, the EU, on a regular and remunerative basis, since in spite of the proposed tariff preference ACP bananas would be subject to the constant risk of exclusion as well as unremunerative returns,
- K. concerned that any sudden, and major, decline of the industry before the most vulnerable countries and producing regions have been able to adapt will create tremendous social and economic dislocation and erode achievements in the fight against poverty, a fundamental objective of ACP-EU cooperation,
- L. recalling that the ACP-EC Cotonou Agreement provides for negotiation of new trading arrangements compatible with WTO rules as of 2008 and that the parties have agreed to maintain the present market access regime until then,
1. Rejects the present Commission proposal, which still does not take account of the vulnerability of the ACP producers: the 'first come first served' system cannot ensure the marketing of ACP bananas on a regular and remunerative basis; furthermore, the automatic transition, in 2006 or earlier, to the 'tariff only' system proposed by the Commission would bring about the demise of Community banana production as well as that of many ACP banana-producing States;
2. Reiterates that the proposal poses a real threat to the survival of thousands of vulnerable small producers in the ACP countries and of Community banana producers, who are located in some of the least favoured EU regions;
3. Condemns the imposition by the US of punitive import duties on EU imports as well as the further aggravation of the situation currently being envisaged with a rotation of the items on the list and a possible further increase in the excessive tariffs;
4. Calls on the Commission to challenge, in the WTO, the legitimacy of the US trade sanctions;
5. Calls on the United States to suspend the sanctions against the European Union and thereby affirm that its intention is not to harm the ACP economically;
6. Calls on the Commission to resume negotiations for a tariff rate quota system based on the award of licences on a historical basis;
7. Urges the EU and the US and all parties to the dispute to show flexibility and a spirit of compromise in the search for a formula which, even if it does not conform fully to their original wishes, safeguards the legitimate interests of all suppliers, especially the most vulnerable;
8. Calls on the Council of the European Union to ensure that the market access conditions guaranteed to the ACP States by the Cotonou Agreement are not further eroded by any action in the multilateral trading agreements;
9. Reminds the EU that access to the tariff rate quota on the basis of past trade is WTO compatible;
10. Emphasises that the transitional period leading to a 'tariff only' system should be no less than 10 years to enable Community and ACP producers to adapt to the new system;

11. Calls on the Council of the European Union to ensure that the commitment in the new banana protocol of the Cotonou Agreement to 'take measures aimed at ensuring the continued viability of their (ACP) banana export industries and the continuing outlet for their bananas on the Community market' is honoured;
12. Calls on the European Commission to expedite the disbursement of Special Framework Assistance resources to provide financial support to banana producing countries to improve competitiveness of their industries;
13. Reiterates the call to the European Commission to consider the ACP countries' position on the proposed modification of the regime and ensure that consultations are held with the ACP countries before any final decision is taken on the matter;
14. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Director-General of the WTO.

# RESOLUTION <sup>(1)</sup>

## on rum

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - A. reaffirming its resolution on rum adopted during the 30th session held in Abuja (Nigeria) from 20 to 23 March 2000,
  - B. recalling the trade objectives of the ACP-EU Partnership Agreement signed in Cotonou (Benin) on 23 June 2000 of promoting trade between the ACP and the European Community,
  - C. recalling the Joint Declaration on Rum annexed to the above-mentioned ACP-EU Partnership Agreement which recognises the importance of the rum sector for the economic and social development of several ACP countries and regions and commits the EU to providing special transitional support during the period 2000-2008 for an integrated sector-specific programme to enable ACP rum exporters to move from commodity to higher value branded products,
  - D. noting the precedent-setting nature of the ACP rum industry's transition and the example this provides to other ACP industries in economic transition after 2008 as they move towards WTO-compatible trade reciprocity with the EU,
1. Calls on the Community and the Member States to ensure that the agreement reached in the ACP-EU Partnership Agreement is fully honoured, that ACP rum exports are not adversely affected and that their competitive position in the market is maintained;
  2. Calls on the Community and the Member States to ensure that the ACP are consulted, as provided for in the Rum Declaration, on any bilateral or multilateral decisions, including tariff reductions and the enlargement of the EU, which may impact on the competitive position of the ACP rum industry in the EU market;
  3. Calls on the Community and the Member States to establish without delay the joint ACP-EU working party on rum, as called for in the Partnership Agreement, to provide an appropriate structure for these consultations;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

4. Calls on the Community and the Member States to ensure that the resources for development of ACP industries are rapidly made available and easily accessible to the countries concerned, and that new provisions for EDF programming and the European Commission's internal staff re-organisation do not hinder the political commitments agreed;
5. Calls on the Community and the Member States to maintain strict enforcement without derogations of EU rules limiting commercial use of the term 'rum' as described in Article 4 of Council Regulation (EC) No 1576/89 and ensure that the ACP are consulted and their position taken into account when considering any request for derogation;
6. Calls on the Community and the Member States to examine the impact on the ACP industry of the indexation of the price point incorporated in the Memorandum of Understanding on rum in the agreement on white spirits of March 1997 at which duties on non-ACP rum are applied and take appropriate measures;
7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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#### RESOLUTION <sup>(1)</sup>

##### on sugar

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - having regard to the resolution on sugar adopted at the 71st Session of the ACP Council of Ministers held in Cotonou (Benin) from 20 to 21 June 2000,
  - having regard to its resolution adopted at the 28th Session of the ACP-EU Joint Assembly held in Strasbourg (France) from 29 March to 1 April 1999,
- A. recalling the Marrakesh agreement establishing the World Trade Organisation, in particular the preamble in which the parties to the agreement recognised, inter alia, that their relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living in accordance with the objective of sustainable development while seeking to protect and preserve the environment,
  - B. considering that the ACP Sugar Protocol is an integral part of the EU Sugar Regime and that the Protocol quantities are bound in the EU's WTO commitments,
  - C. noting that the ACP Sugar Supplying States are net food importing, developing, least-developed, landlocked or island states in peculiar economic and social difficulties which rely on sugar revenue for their socio-economic development,
  - D. noting also that ACP Sugar Supplying States have been utilising the earnings from exports to the EU in their rationalisation programmes to improve efficiency, increase productivity, optimise the use of by-products and generally enhance their level of competitiveness,
  - E. recognising the multi-functional nature of the sugar industry in ACP Supplying States, its role as a foreign exchange earner and major employer and its contribution to environmental protection and rural development,
  - F. acknowledging that ACP Sugar Supplying States have made judicious use of the earnings from sugar exports to promote meaningful diversification in other sectors of their economies,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).



- G. recalling that the implementation of the Sugar Protocol is carried out within the framework of the management of the EU Sugar Regime without prejudice to the guarantees of access, duration and price,
- H. considering also that the Special Preferential Sugar Agreement (SPS) is due for renewal in 2001 and that the ACP Signatory States have been reliable suppliers of sugar under that agreement; and the binding of the SPS quantities in the EU-WTO schedule will impart added security to the agreement,
1. Calls on the European Union to:
- take into account the submission by the ACP on the review of the Sugar Regime and ensure that the guiding principles of the current regime are maintained;
  - ensure that every effort is made to defend and maintain the preferential trading agreements and hence honour the commitments given to the ACP under the Sugar Protocol;
  - acknowledge the contribution of ACP sugar industries to the EU refining industry and recognise the mutual benefit to the parties derived from the preferential trading arrangements under the Protocol and Special Preferential Sugar Agreement;
  - consider the reliable role played by ACP Signatory States in supplying sugar under the SPS Agreement and include the quantities in the EU-WTO schedules to give the agreement added security;
  - recognise the efforts made by the ACP at rationalisation and diversification, highlighted in the annual memorandum on economic factors, and ensure that the price offered for ACP sugar takes into account all relevant factors;
  - acknowledge the multi-functional nature of ACP sugar industries and the significant contribution that earnings derived from sugar exports have made to economic development as well as environmental protection and rural development in ACP Supplying States;
2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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**RESOLUTION <sup>(1)</sup>****on WTO waiver**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - recalling its previous resolution on WTO waiver adopted on 23 March 2000 at Abuja, Nigeria,
  - recalling the resolution on WTO waiver adopted by the ACP Council of Ministers, at its 71st Session in Cotonou, Benin on 21 June 2000,
- A. concerned by the procedural obstacles raised by the complainants against the EU banana regime designed to prevent consideration of the waiver request if it includes bananas without advice on how the regime will be reformed,
- B. noting that the Cotonou Agreement allows for duty free access for ACP bananas,
- C. noting that the new European import regime for bananas will deal with matters other than duty free access for ACP products, notably licences and quotas,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

- D. having regard to the resolution on the reform of the EU banana regime (ACP-EU 3023/00/fin),
- E. recalling that the waiver request is made in respect of duty free access for ACP products rather than quota or licence matters,
- F. further recalling that the waiver is not intended to, and neither will it cover the new banana regime,
- G. further noting that the examination of treatment intended for bananas has not begun in Geneva,
- H. recalling that the Cotonou Agreement is a negotiated package aimed at development of the ACP states and that the exclusion of any specific benefit from the waiver will unbalance the accord,
- I. concerned that the failure to start the count of the 90 day period for consultation is against the spirit of the Marrakesh Agreement and is prejudicial to ACP states,
1. Reiterates that granting the WTO waiver would contribute significantly to the confidence building measures being pursued by the WTO Member States to reinstate the credibility of and confidence in the multilateral trading system and the WTO institution;
2. Declares that the delay in granting the waiver would put at risk the implementation of the Cotonou Agreement and, in particular, make it difficult to meet the timetable laid out in the trade and economic provisions that foresee the negotiation and conclusion of a WTO-compatible trade regime between the European Community and the ACP by 2008;
3. Further declares that the delay in the implementation of the Cotonou Agreement impacts negatively on the integration of ACP States into the world economy;
4. Requests the European Commission and its Member States to take definitive action that will result in the early approval of the WTO waiver as sought by the ACP and the EU;
5. Calls upon the ACP and the EU parliamentarians to continue to actively seek support for the waiver request during their contacts with members of the WTO;
6. Urges the WTO members to proceed expeditiously to consider and approve the request for the waiver for the Cotonou Agreement in its entirety;
7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and to the Director-General of the World Trade Organisation.
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RESOLUTION<sup>(1)</sup>**on the results of the special session of the United Nations General Assembly of 5-9 June 2000 on 'Women 2000: Equality, Development and Peace for the Twenty-First Century'**

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - having regard to the Beijing Declaration and Platform for Action issued by the Fourth World Conference on Women on 'Equality, Development and Peace' held on 15 September 1995 in Beijing,
  - having regard to the general report by Mrs Karin Junker on the importance of the UN World Conference of 1990-1996 for cooperation between the European Union and the ACP States in the context of the Lomé Convention, adopted by the ACP-EU Joint Parliamentary Assembly on 29 October 1997 in Lomé (OJ C 96/19),
- A. stressing the significance of the special session of the UN General Assembly in creating and strengthening worldwide political support for equality, development and peace, constituting a major step forward for women throughout the world, despite the fact that expectations regarding further measures and initiatives to implement the Beijing Declaration and Platform for Action were not completely fulfilled,
- B. welcoming the fact that efforts by individual countries and groups of countries to undermine in certain areas the successes of the 1995 Beijing Conference have been unsuccessful,
- C. welcoming the fact that, in most countries, considerable progress has been made in implementing the Beijing Platform for Action in areas such as the human rights of women, violence against women, poverty, employment, economic activity, etc.,
- D. deploring the fact, however, that in certain countries women are still deprived of basic human rights and have still not achieved full equality in the eyes of the law and within society,
1. Calls on the Council, the Member States and the Commission to incorporate without delay the principles set out in the final document issued by the special session within the framework of EU-ACP cooperation;
2. Calls on the Council, the EU Member States, the Commission and the governments of the ACP countries to take account of the results of the special session in future deliberations on gender issues in development policy and to draw up a report on the means of achieving the desired objectives under the Cotonou Agreement;
3. Urges the EU, Member States and the ACP countries to take particular account of the fact that, with regard to development cooperation, women have a key role to play in sustainable development and long-term environmental protection; urges that due account accordingly be taken of women's interests and gender issues at every stage of planning, implementation and assessment of development cooperation;
4. Calls for women and men to be given lifelong universal and equal access to social benefits and healthcare, including supplies of clean water, sufficient food which is safe to eat, hygienic sanitary installations and, in particular, the availability of advice and information regarding health, especially reproductive health, in close cooperation with the ACP countries;
5. Calls for the importance of economic independence for women to be recognised and for measures to be taken to improve their access to employment in the formal and non-formal sectors, enable them to obtain additional know-how and improve their earning capacity;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

6. Calls for the equal participation of women in all decision-making processes;
7. Urges the United Nations to give particular importance to gender mainstreaming in resolving armed conflict, consolidating peace and achieving reconciliation between warring parties;
8. Calls for the introduction of compulsory education for all children wherever possible, irrespective of their sex, and for measures to be taken to ensure that girls and women enjoy equal access to basic education, training and further training;
9. Welcomes the action taken in the meantime by a number of ACP countries to ban genital mutilation and calls for a definitive end to such degrading traditional practices as forced marriages and arranged marriages of minors and the abolition of 'crimes of honour' by means of appropriate laws, measures and education programmes; urges that campaigns be launched to proscribe violence against women and introduce programmes to encourage men to adopt a safer and more responsible attitude to sexual relations;
10. Once more calls for the convening of a fifth UN World Conference on Women in five years' time in order to evaluate the successes and shortcomings of this initiative and review the objectives thereof;
11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the governments of the EU Member States and the ACP countries and the UN Secretary-General.

# RESOLUTION <sup>(1)</sup>

## on follow-up to Copenhagen — Geneva Conferences

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
- having regard to the ACP-EU Joint Assembly resolution on the follow-up to the Copenhagen Summit adopted by the ACP-EU Joint Assembly on 23 March 2000 in Abuja (Nigeria) <sup>(2)</sup>,
- A. whereas the aim of the Geneva 2000 Special Session of the UN General Assembly was to examine the progress made since the adoption of the Declaration and Programme of Action on Social Development in Copenhagen in 1995,
- B. whereas the Copenhagen Summit succeeded in putting social development on the international agenda but the international community has failed in implementing many targets set in the Copenhagen Declaration,
- C. whereas the Geneva Summit resulted mainly in a reaffirmation of the Copenhagen initiatives and introduced some 30 new initiatives and agreements on, inter alia, issues such as access to basic education and access to medicines,
- D. whereas, despite significant progress in individual areas, the overall result after five years cannot be described as an unqualified success, given that:
  - the number of people living in poverty has continued to increase, the gap between rich and poor has continued to widen, and inequality in terms of income, employment, access to social services and participation in public and civil organisations has grown,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

<sup>(2)</sup> ACP-EU 2915/00/fin.

- the debt burden of developing countries has grown and its excessive burden is hampering the fulfilment of the undertakings made in Copenhagen,
  - the decline in the resources allocated and in social development has continued, and the fall in levels of public aid to development is a major concern for developing countries,
  - while globalisation encourages economic growth in industrialised countries with advanced technology and matching resources, most of the world's population is deprived of access to the most basic needs of life,
  - conflicts have damaged social integration in many countries,
- E. concerned at the widespread poverty afflicting most of the inhabitants of the ACP countries,
- F. aware of the fact that implementation of projects and recommendations formulated at such summit meetings is likely to encourage sustained and socially acceptable economic development,
- G. whereas the Copenhagen Declaration states that 'there should be universal primary education in all countries by 2015', 'progress towards gender equality and the empowerment of women should be demonstrated by eliminating gender disparity in primary education and secondary education by 2005' and 'universal access to primary health systems and reproductive health services should be reached by 2015',
- H. aware of the interrelationship between countries, particularly the ACP-EU countries, whose political, economic and cultural ties have been in place for centuries,
1. Reaffirms its commitment to ensuring that the conclusions and recommendations of the World Summit in Copenhagen and the 24th extraordinary session of the United Nations on social development are implemented, and its support for national parliaments in monitoring compliance by the governments of their respective countries;
  2. Calls on governments and national and international organisations to take measures to consolidate peace, democracy and good governance as the best possible means of combating poverty;
  3. Welcomes the potential in the Cotonou Agreement for achieving social development while placing emphasis on the concepts of partnership and policy dialogue, but notes that the agreement does not specify how these social development aims will be achieved;
  4. Calls for concerted measures at national and international level to help secure favourable conditions for the assimilation of ACP countries into the world economy, encourage their participation in the multilateral trading system and increase their production capacity and competitiveness;
  5. Regrets that at the start of the new millennium 125 million primary school-age children are still not in school, of whom most are girls, another 150 million children start school but drop out within four years and one in four adults in the developing world is still unable to read and write;
  6. Regrets that at the start of the millennium child mortality has grown in Latin America and Africa, universal access to reproductive health care is far from being attained and reforms of the health sector have resulted in reduced access to health services for the poor and especially women and girls;
  7. Calls on the parties to the Cotonou Agreement, in particular the Governments of all ACP countries, to increase the current allocations to basic health and education as already recommended by the European Parliament<sup>(1)</sup> and feels it essential that specific objectives and targets to achieve universal access to health care and education should be included in the Compendium of Reference Texts of the Agreement, the future cooperation agreements between the EU and ACP countries and the National Indicative Plans of the ACP countries;

<sup>(1)</sup> Resolution of the European Parliament on the World Education Forum adopted on 13 April 2000, B5-0355, 0357, 0371, 0380 and 0384/2000.

8. Calls for international cooperation in support of the untiring efforts of the least developed countries to fulfil the commitments made in Copenhagen and the recommendations issued in Geneva;
9. Calls for measures to be taken by the international community to find an effective and lasting solution to the problem for developing countries of their burden of foreign debt and the servicing thereof: debt write-off and/or conversion to encourage development in social sectors in accordance with the 20/20 initiative;
10. Calls for effective fulfilment of the objective under which the industrialised countries should earmark 0,7 % of their gross national product (GNP) for official development aid (ODA), an objective agreed at international level but not yet achieved;
11. Calls for all stakeholders in civil society to be involved in the implementation, follow-up and assessment of the undertakings entered into at the two world conferences on social development and in the design of specific programmes and projects for basic health and education, and furthermore considers it absolutely essential that when designing specific programmes and projects special attention should be given to the disadvantaged position of women and girls;
12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the UN.

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#### RESOLUTION <sup>(1)</sup>

##### on small-scale fisheries

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - noting earlier resolutions on this topic,
- A. noting that many aspects of relations between the European Union and the ACP countries in the realm of fisheries are undergoing major changes at present, including the new Cotonou Agreement, a new programme of structural funds in the EU and an upcoming revision of the Common Fisheries Policy,
  - B. concerned that these should not have negative impacts upon the coastal fisheries of ACP states,
  - C. pleased that the Cotonou Agreement recognises the important role to be played by non-governmental players, including organisations of small-scale fishworkers, in the development and implementation of cooperation programmes between the EU and ACP,
  - D. having regard to the compatibility of the activities of small-scale ACP fleets operating within a limit of approximately 12 nautical miles, with those of Community fishing vessels under the fishing agreements between the EU and the ACP countries in question;
  - E. recognising the importance of coastal fisheries to the development of many ACP countries, in terms of food security, employment, social structure and linkages with the local economy,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

1. Notes that the new ACP-EU relationships should take full account of the needs and rights of small-scale, coastal fishing communities in ACP countries, especially as regards access to resources and to the markets;
2. Welcomes the fact that the current EU-ACP fishing agreements contain provisions relating to training and research in the ACP countries;
3. Asks ACP states to take a regional approach to the negotiation of fisheries agreements with the EU and other nations, given the fact that many fish stocks are shared by two or more countries, and to promote participation of the local ACP fisheries sector, small-scale in particular, in the negotiations of any fisheries agreements;
4. Demands that EU development aid be used to improve the ability of ACP countries to patrol the waters under their jurisdiction so as to be able to control the activities of fishing fleets and thus prevent over-fishing;
5. Calls upon the EU to use its development aid programmes to improve the processing capacities of the ACP states so as to be able to ensure that the fish is safe for both local people and able to safely enter the EU market;
6. Urges the Member States of the European Union and the ACP countries to complete their ratification of the 1995 UN Agreement on the Conservation and Management of Straddling and Highly Migratory Fish Stocks as soon as possible;
7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and to the Commission.

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#### RESOLUTION <sup>(1)</sup>

##### on migration flows

*The ACP-EU Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - having regard to the Universal Declaration of Human Rights of 10 December 1948,
  - having regard to the Geneva Convention of 28 July 1951 relating to the status of refugees as amended by the New York Protocol of 31 January 1967,
  - having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950,
- A. whereas immigration is a structural phenomenon linked mainly to the widening economic gap between the richer and poorer countries of the planet, prompting many people to flee their poverty in search of a better quality of life,
- B. whereas political, economic and social instability within developing countries results in refugees fleeing to neighbouring countries and can put them in a position where they see illegal immigration as their only option, or where they are left vulnerable to the exploitation of criminal traffickers,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

- C. concerned at the human tragedies which occur on a daily basis at the borders of the Union, where numerous immigrants and refugees are refused entry into the EU and concerned in particular at the deaths which have occurred as a result of people attempting a clandestine entry into European territory,
  - D. revolted at human trafficking, whereby the despair of men and women from the poorest countries is exploited by clandestine immigration networks for profit-making purposes alone and with complete disregard for the dignity of human life,
  - E. whereas, according to the International Organisation for Migration, trafficking in humans has become a rapidly growing, well organised and extremely lucrative business,
  - F. stressing the major contribution made by ACP nationals legally resident in EU Member States to the economy of the European Union and its social development,
  - G. strongly condemning the illegal exploitation of clandestine workers,
  - H. recalling that EU-ACP cooperation is inspired by the wish to improve living conditions in the ACP countries; recalling that the European Union has also undertaken to seek to achieve the social and economic integration of ACP nationals legally resident in its territory,
  - I. pointing out that, in order to regulate migratory movements and flows of refugees, it is, above all, necessary to create better political, economic and social conditions in the countries of origin by means of measures helping to achieve objectives such as respect for human rights, the creation of business opportunities, investment in development programmes and the reduction of arms sales,
  - J. whereas ethnic, religious, cultural and linguistic diversity has a revitalising effect on society both in the European Union and in the ACP countries,
1. Considers that only the social and economic development of the poorer countries, in particular the ACP countries, can provide structural alternatives for all those in these countries resorting to illegal or clandestine immigration to improve their quality of life;
  2. Deeply regrets the way in which the issue of migration was dealt with during the new partnership negotiations;
  3. Stresses in this regard the importance of implementing fully, promptly and efficiently the Cotonou Agreement, which seeks to provide long-term solutions to underdevelopment in the ACP countries;
  4. emphasises the need for ACP governments and the European Commission to adopt strategies that attack unemployment and create jobs that respect core labour standards as set out by the ILO; calls for concerted efforts to be made to eradicate social prejudice against women and other social groups who are discriminated against in their efforts to find legal work and are therefore left vulnerable to exploitation by traffickers, drawing particular attention to Article 31 of the Cotonou Agreement on gender issues;
  5. Is convinced that the European Union and the other rich countries of the planet must commit themselves more deeply to the social and economic development of the poorer countries as a structural method of controlling migratory flows; is, therefore, very concerned at the reduction in real terms of funding earmarked for international cooperation policy and calls on all the wealthy countries to respect their solemn undertaking to earmark at least 0,7 % of their GDP to North-South cooperation policies;
  6. Is convinced that by making serious and sustained efforts to improve the living and working conditions of people in developing countries for humanitarian reasons, people living in poverty will be deterred from seeking to leave their homes, and in the worst cases putting their lives or the lives of their children into the hands of traffickers;
  7. Calls on the Council and Commission to table specific proposals seeking to encourage the integration of all legal residents in the European Union on the basis of best practice within the Member States;



8. Firmly condemns the criminal acts of those taking advantage of human traffic; considers necessary to intensify the battle against criminal networks, in particular trans-nationals, that are involved in human traffic, and exploitation of clandestine workers; recognises the need to promote policies that increase the risks of trafficking to traffickers, whilst reducing the potential gains made by traffickers; seeks to reinforce EU/ACP cooperation and cooperation with other European Countries in curbing the problem of trafficking in human beings; calls on ACP-EU Member States to promote non-discriminatory migrant work, including the penalisation of companies and individuals that employ illegal workers;
9. Regrets the absence of any real European immigration policy which should, once in place, establish an overall European migration strategy inspired, inter alia, by humanist ideals and the development of the ACP countries;
10. Deplores the failure of EU governments to adequately assess the extent to which immigration laws and practises in the EU contribute to trafficking and are symptomatic of the failure to recognise the inextricable link between trafficking in human beings, migration and asylum policies; deplores the treatment of victims of traffickers as criminals; is deeply concerned by the treatment of refugees and asylum seekers and the manipulation of the issue of immigration and asylum in EU Member States; calls for a comprehensive and constructive European response to the global issue of migration, trafficking in human beings and asylum;
11. Calls on the Union and the Member States to ensure that the Geneva Convention on the Status of Refugees is fully implemented and that immigration legislation and policy does not lead to discrimination based on ethnic origin or nationality, and does not encourage xenophobic attitudes or discriminatory and hostile behaviour towards ethnic minorities and ensures the same rights concerning freedom of movement and family reunification for legally resident third country nationals as those enjoyed by Member State citizens;
12. Considers that third country nationals legally resident in the European Union should receive equal treatment in terms of their economic, social, civil, cultural and political rights in accordance with the relevant UN human rights conventions;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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**RESOLUTION<sup>(1)</sup>****on trafficking in human beings**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
- having regard to the legal instruments ratified by the ACP-EU countries, in particular the Convention on the Rights of the Child adopted by the General Assembly of the United Nations and the African Charter on the Rights and Welfare of the Child, together with the obligations arising therefrom,
- A. having regard to the sacrosanct nature of human life,
- B. aware of the frailty and vulnerability of children and their overwhelming need for special protection in order to develop fully,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

- C. reiterating its firm commitment to seek to promote and protect the rights of the child in all its actions,
  - D. subscribing to the principle that the overriding interests of the child must be the prime consideration in all decisions affecting children,
  - E. recognising that trafficking in children is an intolerable practice to which stringent penalties must be immediately applied,
  - F. whereas the eradication of trafficking in children requires action by all concerned,
1. Reaffirms its undertaking to comply with, and seek to make more effective, all national and international legal instruments concerning the protection of human life in general and children in particular;
  2. Urgently appeals to all governments to combat trafficking in children;
  3. Calls on governments and national and international organisations to draw up and implement programmes to combat trafficking in children;
  4. Urges each country to assemble an arsenal of appropriate legal measures to prevent this phenomenon and calls for urgent measures to be taken for the reintegration and/or repatriation of child victims;
  5. Encourages greater participation by national and international organisations and civil society in efforts to eliminate trafficking in children;
  6. Welcomes the initiative by the Republics of Mali and Côte d'Ivoire regarding the undertakings to combat transborder trafficking in children contained in the cooperation agreement signed in Bouaké on 1 September 2000;
  7. Calls for international cooperation in support by efforts by the ACP-EU countries to combat trafficking in children;
  8. Calls on the ACP-EU countries to treat trafficking in children as a crime falling within the jurisdiction of the international criminal courts;
  9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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## RESOLUTION <sup>(1)</sup>

### on AIDS

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000;
- recalling its earlier resolutions on the HIV-AIDS disease,
- having regard to all the major international conferences on AIDS and sexually transmitted diseases,
- having regard to the first EU Round Table on Communicable Diseases, including HIV-AIDS, held in Brussels on 28 September 2000,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).

- A. whereas HIV-AIDS has reached pandemic proportions in the world's hardest hit regions (as every minute five people die in Africa from the disease) and created over 13,2 million orphans, and whereas at least 50 % of the infected persons are women who are likely to pass HIV on to their babies,
  - B. whereas HIV-AIDS is not only a public health issue, but also has profound implications in social, cultural, and religious terms, with regard to custom and tradition and, in particular, relations between men and women,
  - C. whereas it is well known that the spread of HIV-AIDS is linked to gender inequalities and the EU should, in its strategies on HIV-AIDS put emphasis on empowering women by education and by providing means to improve their status in society,
  - D. whereas the continued rapid spread of HIV-AIDS poses a direct threat to all development efforts by undermining political, social and economic structures across the developing world since HIV-AIDS affects the most active section of the population,
  - E. whereas no provisions are foreseen in most developing countries for quality care for terminally ill people,
  - F. whereas pharmaceutical companies must look at ways to reduce prices, since nations in developing countries cannot afford the cost of anti-viral drugs available in the industrialised world; whereas there is a need for an urgent review of the issue of intellectual property rights in relation to retro-viral, malaria and tuberculosis drugs,
  - G. calling for sustainable policies on HIV-AIDS, malaria and tuberculosis to be based on an increase in and better use of funds by fully involving civil society, non-governmental and private sector organisations,
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- 1. Welcomes the multisectoral approach taken by the Commission at the first Brussels Round Table on Communicable Diseases and calls on the EU Member States and the Commission to give the highest political and financial priority to the fight against the growing pandemic of HIV-AIDS;
  - 2. Considers that EU funds must be spent on improving primary health care and public education, research and systematic screening in order to fight HIV-AIDS, ensuring that medical staff receive special training and that tests can be carried out across the board;
  - 3. Calls on ACP countries and in particular on their religious, cultural and political authorities and civil society to cooperate fully with the implementation of the prevention programmes and to take part constructively in AIDS prevention actions, including education and information programmes, together with popular forms of entertainment as a means of spreading the message, for example street theatre;
  - 4. Expects the political, cultural and religious leaders, as well as the governments of the ACP countries, to include consideration of gender-related issues as fundamental to prevention and treatment strategies,
  - 5. Stresses in particular the need for strong and consistent leadership at the political level in countries plagued by the HIV epidemic;
  - 6. Welcomes the progress made at the International Conference on AIDS in Durban, which not only stressed the essential need for preventive measures, but also focused its deliberations and proposals on ensuring access to care;
  - 7. Notes with concern that the HIV epidemic is taking on serious proportions not only on the African continent but in parts of Asia as well;

8. Welcomes the outcome of the special session of the UN Security Council on the impact of AIDS on peace and security in Africa as well as the renewed initiatives formulated at the Millennium Summit in New York on 8 September 2000 to fight HIV-AIDS, in particular by setting explicit prevention targets and urging every seriously affected country to have a national plan of action in place within one year of the Summit;
9. Urges the Commission and EU Member States to help developing nations finance the fight against HIV-AIDS — as well as malaria and tuberculosis — by reducing developing countries' debts;
10. Calls for a special programme of AZT treatment for infected women and their newborn infants, since most of the latter can be spared HIV infection, provided that they also receive special aftercare;
11. Welcomes the IAVI initiative on AIDS vaccines and the pilot scheme set out at the Nairobi Conference, as well as efforts made by other ACP countries in this respect;
12. Notes with interest the joint statement issued by pharmaceutical laboratories and UNAIDS regarding a reduction in the price of medication and urges that this measure be implemented, encouraged and organised on a wider basis by means of an international conference attended by the sponsors and international organisations concerned, NGOs and national representatives, in particular from countries most affected by the epidemic;
13. Calls on the pharmaceutical industry to reduce prices drastically and provide certain quantities of drugs free of charge;
14. Calls, in the event of an insufficient reduction in the prices of medicines for the treatment of HIV-AIDS and the resultant diseases, for application of the principle of free granting of licences to the states concerned to manufacture and market these medicines, on the grounds that a medical emergency is involved;
15. Calls on the Commission, the WTO and the WHO to support the International AIDS Vaccine Initiative, to investigate ways of making anti-AIDS drugs available at lower prices in the developing countries and to draw on the Council of Europe's experience in licensing drugs;
16. Draws attention to the link between HIV infection and tuberculosis, which frequently develops as a result of HIV-AIDS, and therefore calls for HIV tests to be carried out in cases of suspected tuberculosis so that appropriate treatment can be given;
17. Points out that in order to combat tuberculosis and malaria, which have reached epidemic proportions in many ACP countries, special programmes of prevention, inoculation and treatment are necessary and special funds must be earmarked for this purpose;
18. Instructs its Co-Presidents to forward this resolution to the Commission, the ACP-EU Council, UNAIDS, the World Health Organisation and the World Trade Organisation.

**RESOLUTION<sup>(1)</sup>****on decentralised cooperation**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 9 to 12 October 2000,
  - having regard to the new ACP/EU Cotonou Partnership Agreement, and in particular the provisions related to decentralised cooperation (Article 70),
- A. recalling the principle of participative development, as stipulated in Article 6 of the Cotonou Agreement which extends the EU/ACP partnership concept to include a very wide range of non-state actors (private sector, civil society, economic and social partners, local authorities, etc),
- B. having regard to the importance of the EU's decentralised cooperation programme in assisting non-state actors from ACP and other developing countries in initiating sustainable decentralised cooperation programmes,
- C. recalling that the participation of 'new actors' is defined as one of the four 'fundamental principles' for implementing the EU/ACP Partnership,
1. Reaffirms the importance of decentralised cooperation as a specific approach to EU/ACP cooperation based on reinforcing the potential of ACP actors to participate in the formulation and implementation of cooperation policies and programmes at the global, regional, national and local level;
  2. Stresses the importance of the role played by decentralised actors (North and South) in promoting poverty eradication, democratisation and sustainable development;
  3. Reaffirms the pivotal position of the non-state actors to decentralised cooperation in the implementation of the EU/ACP partnership agreement;
  4. Calls for urgent consultation among representatives of the ACP, the European Commission, the European Parliament and non-state sectors on the modalities of providing EDF and other EU funding for Southern NGOs;
  5. Recommends that provisions be made to ensure access for decentralised actors to EDF funds and that access be clearly defined and adequately allocated;
  6. Calls for sufficient strengthening of the financial resources allocated to the decentralised cooperation budget line in the EU budget for 2001 and for coming years;
  7. Urges the European Commission to ensure that financial resources to Southern NGOs are provided in an efficient and expeditious manner;
  8. Instructs its Co-Presidents to forward this resolution to the ACP/EU Council and the European Commission.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 12 October 2000 in Brussels (Belgium).



**RESOLUTION <sup>(1)</sup>****on the negotiations in the framework of the WTO**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
- A. whereas global economic integration has the potential to create unprecedented global prosperity but so far the benefits of globalisation have not been distributed equitably,
- B. whereas reform of the rules governing world trade is urgently needed,
- C. whereas global markets need to be underpinned by global rules and institutions that place human development, and the public good above the pursuit of corporate self interest and national advantage,
- D. whereas the next WTO Ministerial Council will take place in Qatar, from the 9-13 November 2001, and the increasing globalisation of the economy makes it necessary to further develop multilateral rules which enable all nations to benefit from the development of trade, whilst respecting the diverse nature and resources of the developing countries so that a balance is struck between the interests of Europe and third countries,
- E. whereas of the WTO's 140 Member States, only 12 LDCs have representations in Geneva,
- F. whereas according to UNCTAD, the export earnings of developing countries could rise by \$700 billion a year, which is 14 times the amount of aid that the developing world receives annually, if rich developed countries opened their markets,
- G. whereas the world's poorest countries have seen their share of world trade decline by more than 40 % since 1980,
- H. whereas developing countries should retain the right in the framework of TRIPS to produce, market, import and export affordable generic medicines,
- I. whereas globalisation is in practise not gender neutral and the pattern of gender inequality is a global phenomenon,
  - 1. Calls for reform of the WTO's structures, rules and decision-making procedures in order to create an institution which is capable of preparing, taking, implementing and monitoring decisions about the future direction of world trade;
  - 2. Calls for WTO rules to be drawn up which are compatible with human development objectives and priorities including health, education, consumer safety and the environment;
  - 3. Insists on the need to allow special and differential treatment for the developing countries, and for a strengthening of the system of trade preferences;
  - 4. Welcomes the agreement by the Council on 'Everything But Arms' and calls upon other countries and trading blocks to follow the EU's lead, but insists that care be taken to ensure that implementation of this initiative does not compromise the EU's commitments with regard to the ACP countries under the Cotonou Agreement;
  - 5. Calls for the urgent democratisation of the WTO in order that all countries, irrespective of their wealth can effectively participate in future negotiations;
  - 6. Stresses the right of accession of all countries to the WTO;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

7. Strongly supports the need for greater transparency, fairness and more clearly-defined objectives throughout the whole negotiating process; in this context advocates establishing democratic oversight over the WTO, for example, by broadening the WTO system to include a parliamentary dimension;
8. Calls for the establishment of a parliamentary standing committee to monitor and ensure democracy, transparency and accountability;
9. Calls on the European Parliament to include interested ACP Parliamentarians from the ACP-EU Joint Parliamentary Assembly in the aforementioned parliamentary standing committee (seminar in April 2001 and conference in autumn 2001);
10. Calls for technical and financial assistance for human and institutional capacity building to be made available in order to enable developing countries to examine in full the implications of all proposals and to define and negotiate their trade policy interests;
11. Considers that before any further liberalisation is agreed, an assessment of the impact of the Uruguay Round on sustainable development in ACP countries should be undertaken;
12. Considers that a major focus of any new round of multilateral trade negotiations must be the removal, as soon as possible, of barriers blocking access to developed countries' markets for products where developing countries either have a competitive advantage or could acquire one, including tariff peaks and escalations and non-tariff barriers, as has been done by the EU with the recent 'Everything but Arms' initiative;
13. Calls for WTO rules not to contravene UN multilateral agreements, including international environmental treaties;
14. Stresses that a new round must effectively address developing country concerns, such as the full implementation of previous commitments including on special and differential treatment, textiles, subsidies and anti-dumping;
15. Calls on the ACP and EU negotiators to reinforce their partnership with a view both to changing WTO rules and to ensuring that any trade agreement focuses on poverty alleviation and sustainable development;
16. Affirms that WTO rules should take into account the right of developing countries to implement national and/or regional agricultural policies which promote food security and their other non-trade concerns;
17. Calls for the length and scope of patents issued under the WTO TRIPS Agreement to be revised and safeguards strengthened to ensure that developing countries can obtain partial or full waivers on patents in the interests of public health;
18. Reaffirms its commitment to human rights and calls on the WTO to take into account and accept human rights in the labour market particularly those established by the ILO in the 1998 core labour standards regulation;
19. Stresses that developing countries should be given more scope within the rules, including those on domestic aid, to meet non-trade objectives, such as poverty alleviation;
20. Calls for WTO rules to recognise the constraints on vulnerable small island countries, and allow for special and differential treatment for such countries;
21. Stresses that a gender perspective needs to be integrated into the globalisation process, and calls on all countries and companies to take account of gender disparities;
22. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Director-General of the WTO.



**RESOLUTION<sup>(1)</sup>****on WTO negotiations**

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Libreville (Gabon) from 19 to 22 March 2001,

- A. whereas the December 1994 Marrakesh Agreement establishing the World Trade Organisation granted the EU a waiver allowing it to reserve preferential treatment for ACP products, in accordance with the Lomé Convention,
- B. concerned that future WTO trade negotiations could have a detrimental effect on the ACP-EU trade provisions by indirectly limiting preferential access for ACP products to the EU market,
- C. whereas the Lomé Convention was a comprehensive multilateral agreement under which preferential trading arrangements were granted to the ACP countries as an aid to development; whereas the loss of such aid would threaten the ACP economies,
- D. whereas recent studies suggest that many ACP countries, among them the poorest and most vulnerable, will suffer as a result of the significantly less favourable terms of trade to which they will be subject under the free trade arrangements,
- E. whereas the ACP countries are pressing for a ten-year waiver from the WTO to allow them to devise alternative arrangements to take effect from 2006 following revision of the EU's GSP, CAP reform, EU enlargement and the results of the Millennium Round,
  1. Emphasises that the special needs and aspirations of developing countries must be given due prominence in all international trade talks and in any future 'Development Round';
  2. Believes that any further WTO round should take place under UN auspices and that a greater role must be given to UN agencies to implement and regulate such trade-related objectives;
  3. Calls on the EU negotiators to strengthen their partnership with the ACP countries with a view to achieving a change in WTO rules and an end to restrictive supranational rules based on a system of values in which the liberalisation of trade takes precedence over the alleviation of poverty and sustainable development;
  4. Calls on the governments of all States party to the ACP-EU partnership agreement and on the Commission to adopt a joint strategy to persuade the WTO to recognise preferential agreements as aids to development;
  5. Considers that the WTO's existing dispute settlement mechanism is unacceptable and undemocratic since, as illustrated by the banana dispute between the EU and the US, decisions are based solely on commercial criteria, and calls on the ACP-EU negotiators to work to secure a change to the WTO statute, which at present allows the latter to be both judge and judged;
  6. Calls on the EU and the ACP states, prior to the adoption of any new trade provisions, to carry out an assessment of the impact on the ACP economies (job creation, health, education, environment, etc.) of the current liberalisation of trade, taking account of the various structural adjustment programmes and the revision of the EU's GSP, reform of the CAP and EU enlargement;
  7. Considers that, in accordance with Agenda 21, the Basle Convention and the United Nations Convention on biological diversity, sustainable development should take priority over free trade, and that these priorities should be incorporated into all international agreements governing world trade;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

8. Calls for the maintenance of trade preferences and the Lomé protocols for a transition period long enough to enable the ACP countries to protect and develop their economies, until such time as the rules are the same for all;

9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Director-General of the WTO.

### RESOLUTION<sup>(1)</sup>

#### **on the importation and local production of generic drugs**

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Libreville (Gabon) from 19 to 22 March 2001,

- A. whereas HIV/AIDS and other opportunistic diseases such as meningitis and tuberculosis, have reached endemic and catastrophic levels,
- B. whereas predictions have been made that life expectancy in some developing countries could plunge to around 30 by the end of the decade,
- C. whereas the effects of HIV/AIDS and other opportunistic diseases will further deepen the economic and social crisis faced by developing countries,
- D. whereas developing countries cannot afford the cost of the patented drugs supplied by multinational pharmaceutical companies that would allow them to combat the scourge of HIV/AIDS,
- E. whereas efforts by developing countries, such as South Africa, to import and locally produce affordable generic drugs are being hampered by the court action being brought by multinational pharmaceutical companies against the 1997 Act concerning the control of medicines and related substances,
- F. whereas there is growing popular support for the South African Government's bid to make cheaper and affordable generic drugs available to its citizens,
- G. whereas some multinational pharmaceutical companies have agreed to make patented HIV/AIDS drugs available at a reduced price,
- H. whereas certain multinational pharmaceutical companies have not fulfilled their commitments to decrease the prices of the patented HIV/AIDS drugs,
- I. whereas positive moves have been made by some pharmaceutical companies, albeit a small number of them, to make patented HIV/AIDS drugs available at a reduced cost,
- J. whereas Article 31 of the WTO TRIPS Agreement permits a country to enact national laws permitting the use of a patented product without the authorisation of the patent holder (compulsory licensing) under circumstances of national emergency or other cases of extreme urgency or public, non-commercial use,
- K. whereas the World Health Organisation backs South Africa's efforts to obtain cheaper medicines by importing and locally producing generic HIV/AIDS drugs,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

- L. whereas tropical diseases such as malaria, tuberculosis and sleeping sickness kill millions of people every year, due particularly to the increase in resistance, or lack of treatment linked to the breakdown in research for purely commercial reasons,
1. Calls on multinational pharmaceutical companies to further decrease the prices of their patented HIV/AIDS drugs in order to make them affordable for developing countries;
  2. Calls on multinational pharmaceutical companies to honour the commitments made in Seattle and in subsequent multilateral meetings to reduce the cost of their patented HIV/AIDS drugs;
  3. Calls once again for the length and scope of patents issued under the WTO TRIPS Agreement to be revised, and safeguards strengthened to ensure that developing countries can obtain partial or full waivers on patents in the interest of public health;
  4. Calls for the development of a system allowing developing countries fair access to medicines and vaccines at affordable prices, and expresses its solidarity and support for the governments of South Africa and Kenya in their struggle to use WTO-compliant legislation to gain access to the cheapest possible life-saving medicines;
  5. Calls on pharmaceutical companies to make available affordable HIV/AIDS medicines to developing countries;
  6. In this context welcomes the statement by Commissioner Lamy that the Commission supports the rights of developing countries to use the safeguards in the WTO TRIPS Agreement, including compulsory licensing, and the commitment by the Commission to launch a debate in the WTO on reconciling the TRIPS Agreement with the objectives of health protection in developing countries;
  7. Recognises that despite lower prices offered by the pharmaceutical companies, most drugs will continue to be beyond the reach of the majority of the poor in developing countries, and therefore calls on the EU Commission — in cooperation with other major donors — to establish a global funding mechanism to promote development of vaccines as well as the purchase, in large quantities and for distribution amongst the poor, of a full range of drugs to combat HIV/AIDS, malaria, etc;
  8. Calls on the pharmaceutical companies that issued a legal challenge to the South African 1997 Medicines Act to withdraw the action;
  9. Recognises that public healthcare and disease control have reached crisis level in many developing countries;
  10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Director-General of the WTO.
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**RESOLUTION<sup>(1)</sup>****on the negotiation of new ACP-EU trade agreements**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to the ACP-EU Partnership Agreement, and in particular the provisions relating to economic and trade cooperation,
- A. whereas the non-reciprocal trade preferences are to be phased out after an eight-year transitional period and reciprocity introduced from 2008 through the creation of free trade areas between the EU and ACP regions,
- B. whereas the objective of future ACP-EU trade relations is the smooth and gradual integration of ACP economies into the world economy, in ways which create the conditions for sustainable development and poverty reduction in ACP countries,
- C. expressing its concern over the inherent inequality of 'donor-recipient' relations of ACP-EU and worried in particular by the fact that ACP countries with less bargaining power face considerable difficulties when negotiating with the EU,
- D. whereas most ACP regions lack the necessary economic convergence to allow the negotiation of regional agreements which would accommodate the trade realities and needs of each participating country,
- E. whereas many ACP countries and regions, lack the institutional capacity necessary for the preparation for the negotiations on reciprocal preferential trade arrangements,
- F. whereas reciprocal duty-free access for EU exports should not negatively impact on those local, regional or national markets that ACP producers currently serve, or for which production capacity could develop over time,
- G. fearing that separate free trade agreements with the ACP regions will undermine the existing regional economic groupings of ACP countries in general and the African continent in particular,
- H. whereas import duties on traded products are an important source of government revenue in many ACP countries, and the elimination of duties on imports from the EU could have a major impact on the fiscal position of a number of ACP governments, notably in Africa,
- I. whereas evidence from studies initiated by the Commission shows that it would be extremely difficult for LDCs, within a region which is engaged in a regional economic partnership agreement with the EU, to maintain trade preferences from the EU,
- J. whereas the Commission has acknowledged that if LDCs enter into economic partnership agreements (EPAs), the EU should provide additional EDF resources for any adjustment costs which arise,
1. Welcomes the commitment from the EU to ensure that in future trade negotiations each ACP country will be accorded treatment consistent with the level of economic, administrative, institutional and political development of the country, but believes that insufficient attention is being paid to the practical difficulties which will be faced in achieving this objective under the Commission's regional EPA proposals;
2. Calls for careful consideration to be given to the conditions which will need to exist in ACP countries if moves towards reciprocal trade preferences are to promote sustainable development and poverty reduction;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

3. Urges each ACP country to develop a clear set of objectives in future bilateral, regional, multilateral and EU negotiations;
4. Considers that ACP countries should protect their economies and selectively open their markets, as occurred in Europe, in order to develop their own industries;
5. Considers that free trade arrangements should take account of the different stages of development achieved by different countries and that negotiations of such agreements between unequal partners creates serious difficulties, as was the case in the negotiations on the Cotonou Agreement;
6. Calls on the Commission to explore and consult widely on all options for WTO-compatible alternative trading arrangements before, and during, negotiations on economic partnership agreements;
7. Calls for the reviews in 2004 and 2006 to be based on rigorous sustainability impact assessments which allow for an extension of the preparatory period, or for any ACP country to opt out of EPAs if they deem it necessary;
8. Calls on both Parties to take the necessary steps to enable the immediate establishment and functioning of the Joint Ministerial Trade Committee, so as to permit appropriate consultations and examination of issues relevant to ACP-EU trading arrangements;
9. Calls on the EU to recognise and respect in full its obligations to least developed ACP countries to continued non-reciprocal trade preferences;
10. Calls on the EU to recognise and accommodate the special needs of non-LDC but vulnerable ACP countries, in particular small island and single commodity economies, within the alternative options for future trade relations with ACP countries;
11. Calls on the EU and ACP, prior to agreement on any new trade arrangements, to undertake an impact assessment of current trade liberalisation policy on ACP economies (job creation, health, education, environment, etc.) under the various structural adjustment and privatisation programmes as well as of the EU's revision of the GSP, CAP reform and EU enlargement;
12. Considers that top priority should be given to the goal of sustainable development in accordance with Agenda 21, the Basle Convention and the UN Convention on biological diversity rather than to free trade, and that these priorities should be reflected in any international agreement governing world trade;
13. Calls on the EU to offer concrete and targeted programmes of assistance, prior to the introduction of reciprocal preferential trading arrangements, in order to overcome the supply-side constraints in many ACP countries, including poor infrastructure, unreliable electricity and water supplies, poor education, health and housing provision and weak institutional and policy frameworks;
14. Calls for the EUR 20 million capacity-building support project to be implemented without delay in order that ACP countries and regions can prepare and negotiate new trading arrangements;
15. Calls on the EU, in its negotiations with ACP countries, to assess whether its policies, particularly agricultural support programmes under the CAP, have the effect of distorting trade in ways that might adversely affect producers and exporters in developing countries;
16. Calls on the EU, prior to the implementation of reciprocal free trade area agreements, to establish special programmes of assistance for fiscal restructuring in ACP countries;
17. Considers that the EDF resources available to the ACP Group to compensate for the adjustment costs arising from the move to free trade with the EU are likely to be insufficient, given the likely scale of adjustments which will be necessary;
18. Instructs its Co-President to forward this resolution to the ACP- EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on food safety in trade between the European Union and the ACP countries**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
- A. whereas outbreaks of bovine spongiform encephalopathy (BSE), commonly known as mad cow disease, have been identified in various countries,
- B. concerned by the BSE crisis, caused principally by the consumption of meat meal by ruminants and the transmission of this disease to humans through the consumption of infected meat,
- C. whereas grave doubts remain as to how the human variant of BSE is transmitted, especially with regard to transmission through the blood, which could constitute a major risk of infection in Africa,
- D. concerned that Africa imports animal meal from Europe for use in breeding fish, poultry and pigs, and has traditionally provided an outlet for surplus European meat production, with local producers being sidelined,
- E. whereas, in the third quarter of 2000, Europe exported 43 138 tonnes of meat, worth EUR 36,5 million, to the countries of Western and Central Africa,
- F. whereas sales of British beef and veal in Nigeria increased considerably in the third quarter of 2000, growing by 300 % in three months,
- G. whereas if the appropriate measures are not taken, the export of meat to African countries at very low prices and the build-up of large stocks that are difficult to clear are causes for concern,
- H. whereas the labelling of foodstuffs exported to countries outside the EU is the only sure way of providing information to foreign consumers, including those in the ACP countries,
- I. whereas following the second BSE crisis last year, several countries declared an official embargo on beef and veal from the European Union,
- 1. Calls for the high levels of food safety demanded for European consumers also to apply to foodstuffs and animal feed for export to the ACP countries;
- 2. Calls on the ACP countries to take effective protection measures, and calls on the EU to ban all exports of untested meat and to step up checks on trade in this area;
- 3. Calls on the EU and other developed countries to end gradually all types of export subsidies that are still compromising sustainable development in the ACP countries and which run counter to the objective of the fight against poverty enshrined in Article 177 of the Treaty on European Union;
- 4. Believes that food safety must be guaranteed by ensuring that the right choices are made as regards methods of production and consumption that are compatible with protecting health and the environment and sustainable development;
- 5. Calls on the EU Member States, in allocating and authorising food aid, to ensure that careful account is taken of conditions at national, regional and local level regarding agricultural production and of the supply situation on agricultural markets;
- 6. Calls on the Commission to ban the uncontrolled export of beef and veal which has not been inspected and to step up monitoring procedures regarding trade in foodstuffs as a whole, for which purpose it is necessary for the ACP countries to develop effective protection measures with the assistance of the EU;
- 7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

**RESOLUTION<sup>(1)</sup>****on 'Everything But Arms' (EBA)**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
- having regard to the ACP-EU Partnership Agreement, signed in Cotonou, and the commodity protocols attached thereto,
- A. expressing its concern at the continuing marginalisation of least developed countries (LDCs) from the mainstream of a rapidly growing world economy, as reflected in their low and declining share in world trade,
- B. recalling initiatives in favour of LDCs undertaken on the international front including the convening of two UN conferences and the preparation of the Third Conference on LDCs, the adoption of the Integrated Framework by the IMF, International Trade Centre (ITC), UNCTAD, UNDP, the World Bank and WTO, and the Singapore Ministerial Decision on market access for LDCs,
- C. welcoming the EU Council approval on 26 February 2001 of the European Commission's proposal to eliminate quotas and duties on all products except arms from the world's poorest countries (LDCs), the 'Everything but Arms' initiative,
- D. whereas this plan will make the EU the world's first major trading power to commit itself to opening its market fully to the world's 48 poorest countries, 39 of which are ACP countries,
- E. whereas duty and quota elimination for essentially all products will take effect on 5 March 2001, but the full liberalisation of sugar, rice and bananas will be phased in during a transition period,
- F. whereas the EU initiative puts pressure on other countries to follow this example and start proving to the developing world that the necessary political will is there to ensure that the next round of WTO talks will allow the most disadvantaged to share in the fruits of trade liberalisation,
- G. whereas figures from the Food and Agriculture Organisation (FAO) on sugar production in the LDCs show claims made by the European sugar lobby that exports to the EU could rise to 4,5 million tonnes over five years to be implausible,
- H. recalling the trade objectives of the Cotonou Partnership Agreement, namely of promoting trade between the ACP and the Community,
- I. recalling in particular Articles 36 and 37 of the Partnership Agreement, which set out the importance of safeguarding the benefits of the commodity protocols, the preparatory period necessary in order to prepare sensitive ACP industries for new trading arrangements, and the EU's commitment to allow duty-free access for essentially all products from the LDCs,
- J. recalling Declaration XXIII of the Partnership Agreement which sets out the procedure to be followed when the EU opens its markets to the LDCs,
- K. recalling the 15 December 2000 ACP Council Declaration which 'welcomes and supports' the EBA initiative while 'respecting existing agreements',
- L. deploring the fact that the ACP countries and the European Parliament were not consulted on this proposal,
- 1. Welcomes the EU Council Decision to proceed with the 'Everything But Arms' initiative and the fact that the full liberalisation of sugar, rice and bananas, which constitute very important export products for many of the LDCs, will not be implemented until 2009, thereby taking into account the legitimate concerns of ACP commodity-producing countries;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

2. Calls on other trading partners, in particular the US and Japan, to follow suit on this initiative, as a sign of political goodwill in the run-up to the UN Conference on LDCs scheduled in May 2001 and the fourth WTO Ministerial Conference due in November 2001;
3. Calls on the Commission to urgently compile joint (EU, ACP LDCs and non-LDCs, as well as non-ACP LDCs) impact studies on EBA to investigate the concerns raised by all those who feel that they may be affected by the initiative to address EBA's likely impact, but emphasises that the Community must not allow protectionism to block future progress; is of the view that any trade policy should aim to promote sustainable development and equitable trade rules;
4. Welcomes the 'Everything but arms' initiative, while stressing that it must not undermine the EU Sugar Protocol and the preferential sugar arrangements (SPS) which have delivered considerable benefits, particularly in terms of price;
5. Stresses that, for the initiative to be fully effective, it must be accompanied by measures which address supply capacity constraints in LDCs and therefore calls on the EU to adopt innovative, concrete and result-oriented measures to ameliorate these supply-side constraints, through, *inter alia*, infrastructure and human resource development, export diversification and institution building;
6. Calls on the Community and its Member States to:
  - a) ensure that the agreement reached in the Cotonou Partnership Agreement is fully honoured, that ACP exports are not adversely affected and that their competitive position in the market is maintained as laid down in the Cotonou Agreement;
  - b) establish as a matter of urgency the joint ACP-EU Ministerial Trade Committee, to provide an essential structure for the necessary consultations with the ACP side, pursuant to Article 38 and Declaration XXIII of the Partnership Agreement;
7. Calls on the Council to set a reasonable deadline for revision of the 'Everything but Arms' regulation, after first assessing the impact it will have on the development of the LDCs and the situation of small producers and consulting the European Parliament, the ACP countries and social organisations;
8. Is concerned that the 'Everything but Arms' initiative is aimed at eventually securing liberalisation of trade in all agricultural products at low prices and that, if it is not improved, it could rob the trade protocols attached to the Cotonou Agreement of their substance;
9. Believes that the 'Everything but Arms' initiative must be consistent with the Cotonou Agreement, guarantee access to the European market at fair prices and ensure that the interests of small producers are protected; considers that fair prices must be paid for imports into the European Union, which will necessitate an extension of the duty-free quota and guaranteed prices system;
10. Urges the EC to consider setting a minimum price for sugar exports from LDCs under the 'Everything but Arms' initiative for the proposed interim quota which would ensure that they benefit from stable earnings;
11. Calls on the Commission to promptly apply safeguard measures to ensure respect for rules of origin and guard against fraud so that the opportunities offered by the EBA initiative are not exploited at the expense of those for whom they are intended;
12. Calls on the Commission to avoid administrative arrangements for managing quota-restricted access for LDC sugar which allow some importers to monopolise import licences and distort the price at which duty-free LDC sugar enters the EU;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the WTO Director-General and the governments of the US and Japan.



**RESOLUTION<sup>(1)</sup>****on bananas**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to its resolution adopted during the 1st Session of the ACP-EU Joint Parliamentary Assembly held from 9 to 12 October 2000 in Brussels,
- A. aware of the considerable importance of banana production and trade to the economic and social stability and development of several ACP countries and certain outlying regions of the Community,
- B. recalling that the WTO found the quota arrangements and the licensing regime of the current European banana regime governing ACP banana exports to the European Community incompatible with its rules,
- C. whereas there is a structural surplus of bananas on the world market, so that in the absence of an effective restriction of the quantity of imports there would be an over-supply of bananas and prices would plummet to levels which would drive out ACP and EU suppliers, none of whom have alternative markets,
- D. concerned that the demise of the banana industry in ACP countries would create tremendous social and economic dislocation, eroding the achievements in the fight against poverty, a fundamental objective of ACP-EU cooperation as enshrined in the Cotonou Agreement,
- E. considering the Commission's apparent determination to implement the 'first come, first served' (FCFS) system for the award of import rights to operators on the basis of applications made for entry, under the weekly quota, for bananas on vessels already at sea but that if the sub-quota is oversubscribed, every application would be reduced on a pro-rata basis,
- F. concerned that the ACP producers and in particular the more vulnerable suppliers would not survive under the FCFS scheme, since in the absence of security of access to the EU, their market share would be reduced, unless specific measures were adopted, additional to the tariff preference, in order to prevent this,
- G. dismayed that the European Commission maintains that should FCFS not prove feasible or acceptable, a tariff-only system would be applied immediately, rather than seeking an acceptable alternative,
- H. conscious that a flat-rate tariff system would be even more detrimental since exclusion of the ACP countries from trade in bananas would be accelerated,
- I. reiterating that only a quota regime based on past trade which safeguards effective access for the ACP would meet the EU commitment in the Cotonou Agreement to adopt measures aimed at ensuring the continued viability of the ACP banana export industries,
- J. recalling that the ACP-EC Cotonou Agreement provides for negotiation of new trading arrangements compatible with WTO rules as of 2008 and that the parties have agreed to maintain the present market access regime until then,
- K. concerned that the continued application by the United States of trade sanctions against the European Community unnecessarily complicates attempts to resolve the banana dispute and that they are counter-productive to the search for a fair negotiated settlement of the banana dispute,
- L. aware that such action is intended to increase pressure on the European Union to agree to a banana regime which would give additional access to fruit marketed by US companies, even if this would be at the expense of small, vulnerable producers in the ACP,
- M. welcoming the decision of the European Commission to permit duty-free access for least developed countries (EBA initiative) but aware that the EU banana market is already oversupplied so that any further increases in imports would inevitably cause further price deterioration and loss of income and market,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

1. Calls on the Commission to resume negotiations for a tariff-rate quota system based on the award of licences on an historical basis;
2. Calls on the Council to ensure that ACP countries' position on the modification of the regime is taken into account and there is continued consultation with the ACP countries;
3. Calls on the Council to ensure that the transition period leading to a 'tariff only' system should not be less than ten years to enable the Community and ACP producers to adapt to a new system;
4. Urges the EU and the US and all parties to the dispute to show flexibility and a spirit of compromise in the search for an appropriate formula which, even if it does not conform fully to their original wishes, safeguards the legitimate interest of all suppliers, especially the most vulnerable;
5. Calls on the United States to refrain from rotating its trade sanctions against the European Union and indeed to suspend them and thereby affirm that its intention is not to harm the ACP economically;
6. Calls on the Council to ensure that in devising the mechanics of the EBA initiative, arrangements for bananas should be made so that there is no over-supply and that no measures are introduced which could destabilise the market and cause further price declines;
7. Instructs the Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

# RESOLUTION <sup>(1)</sup>

## on rum

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to previous ACP-EU Joint Assembly resolutions on rum adopted on 23 March 2000 in Abuja, 14 October 1999 in Nassau, 1 April 1999 in Strasbourg, 23 April 1998 in Port Louis, 20 March 1997 in Brussels, 3 February 1995 in Dakar and 6 October 1994 in Libreville,
  - having regard to the resolution on rum adopted on 12 October 2000 at its first session in Brussels,
  - having regard to the trade development objectives of the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000,
- A. recalling the Partnership Agreement's recognition of the importance of the commodity protocols and of safeguarding the benefits derived therefrom as well as its recognition that the process of liberalisation could lead to a deterioration in the relative competitive position of ACP states and could threaten their development efforts,
  - B. noting the EU's commitments in the Partnership Agreement to being as flexible as possible in respect of its involvement in the pace and nature of the ACP's transition and integration into the world economy so as to protect ACP economies in the face of rapid and increasing globalisation,
  - C. emphasising that Declaration XXV — the Joint Declaration on Rum — of the Partnership Agreement recognises the importance of the rum sector for the economic and social development of several ACP countries and regions and the unique challenges it faces resulting from the European rum market's liberalisation outside the post-Lomé agreement,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

- D. recalling also the EU's commitments in the above-mentioned Declaration to providing rapid and sufficient special transitional support during the period 2000-2008 for an integrated sector-specific programme, to enable ACP rum exporters to increase competitiveness and assist the ACP rum industry to move out of bulk commodity production into higher-value branded rum products to allow exporters of ACP rum to compete on the Community and international spirits markets,
- E. noting the precedent-setting nature of the ACP rum industry's experience as the first ACP industry in economic transition, the preparedness of the EU to provide support and the positive indication that rapid delivery and a successful outcome will provide to other ACP industries in economic transition after 2008 as they move towards new WTO-compatible trade reciprocity with the EU,
1. Urges the European Union and its Member States to honour the commitments made in Declaration XXV of the ACP-EU Partnership Agreement and ensure that the measures identified are fully and rapidly implemented so as to enable ACP rum exporters to increase competitiveness, move out of bulk commodity production into higher-value branded rum products and compete in the Community and the international spirits markets;
  2. Urges the European Union and its Member States to ensure expeditious approval of the resources for the development of the ACP rum industries in order to facilitate quick transfer of these funds to the countries concerned and also to ensure that the European Commission's ongoing reform and reorganisation facilitates the realisation of the political commitments agreed;
  3. Calls on the European Union and its Member States to ensure that ACP rum exports are not adversely affected and that their competitive position in the EU market is safeguarded and maintained after the EU white spirits market is liberalised in 2003;
  4. Calls on the European Union and its Member States to ensure that the ACP countries are consulted, as provided for in the Rum Declaration, on any bilateral or multilateral decisions, including tariff reductions and the enlargement of the EU, which may impact on the competitive position of the ACP rum industry in the EU market;
  5. Calls on the European Union and its Member States to ensure, particularly in the context of EU enlargement and the production of a product described as rum in the Czech Republic, Hungary and Poland, the strict enforcement, without derogations, of EU rules limiting commercial use of the term 'rum' as described in Article 4 of Council Regulation (EEC) No 1576/89;
  6. Calls on the European Union and its Member States to facilitate an early meeting of the Joint ACP-EU Working Party on Rum as envisaged in Article 6 of Declaration XXV of the Partnership Agreement;
  7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION <sup>(1)</sup>

## on sugar

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to its resolution on sugar adopted at its 1<sup>st</sup> Session in Brussels held from 9 to 12 October 2000,
  - recalling the resolution of the 71<sup>st</sup> Session of the ACP Council of Ministers held in Cotonou from 20 to 21 June 2000,
  - recalling also the resolution adopted on 13 March 2001 by the European Parliament on the Common Organisation of the Markets in the sugar sector, as regards in particular the renewal of the EU Sugar Regime for a further period of six years, maintenance of a storage levy and refining aid as well as the guaranteed price,
  - further recalling the declaration by ACP Trade Ministers at their third meeting in Brussels from 11 to 12 December 2000,
- A. underlining that the parties to the Marrakesh Agreement establishing the World Trade Organisation recognised that their relations in the field of trade and economic endeavour should be conducted with a view to, *inter alia*, ensuring full employment and sustainable development while seeking to protect and preserve the environment and recognising the need for positive efforts to ensure that developing countries secure a fair share in the growth of international trade,
- B. whereas the ACP Sugar Protocol is an integral part of the EU Sugar Regime and whereas the Protocol quantities are set in the EU's WTO commitments,
- C. recalling that the EU Sugar Regime is currently being reviewed and that the ACP has submitted its views on the review,
- D. noting that the ACP sugar-supplying states are either least developed, developing, net food-importing, vulnerable, landlocked or island states with specific economic and social difficulties which rely on sugar revenue for their socio-economic development,
- E. emphasising that ACP sugar-supplying states have been utilising the vital foreign exchange earnings from exports to the EU in their rationalisation programmes to improve efficiency, increase productivity and generally enhance their level of competitiveness,
- F. noting the ongoing agriculture negotiations under Article XX of the WTO Agreement on Agriculture which have to take into account, *inter alia*, non-trade concerns, special and differential treatment of developing countries and the objective of establishing a fair and market-oriented agricultural trading system,
- G. acknowledging that ACP sugar-supplying states have also made judicious use of the earnings from sugar exports to optimise the use of by-products and moreover promote meaningful diversification in other sectors of their economies,
- H. recognising the multi-functional nature of the sugar industry in ACP supplying states, which is a major employer, and its contribution to environmental protection and rural development,
- I. whereas the Special Preferential Sugar Agreement (SPS) is due for renewal this year and whereas the ACP signatory States have been reliable suppliers of sugar under that agreement, which has helped to increase export earnings, and these have partly contributed to alleviating the negative effects resulting from the EU's restrictive pricing policy since 1986 and enhancing investments in the respective countries,
- J. noting the adoption by the EU General Affairs Council on 26 February 2001 of the revised 'Everything But Arms' proposal and recalling the support in principle of the ACP Ministers of Trade for the initiative as contained in their declaration of 12 December 2000,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

- K. recognising, however, that the implementation of certain aspects of the initiative as they relate to sugar would have adverse effects on the ACP sugar-supplying states which will be called upon to bear the burden of adjustment from the interim period onwards,
1. Calls on the European Union to take into account the submissions by the ACP on the review of the Sugar Regime and ensure that the guiding principles of the current regime are maintained and that the EU Sugar Regime is renewed for a further period of six years;
2. Calls on the European Union to ensure that every effort is made to defend, maintain and honour the commitments given to the ACP under the Sugar Protocol and the Special Preferential Sugar Agreement;
3. Calls on the European Union to recognise the significant and even vital contribution that predictable earnings derived from sugar exports have made to economic development and poverty alleviation in ACP supplying states;
4. Calls on the European Union to acknowledge the multifunctional nature of sugar, particularly its role in environmental protection and rural development in ACP supplying states;
5. Calls on the European Union to recognise the need to adopt urgently positive measures to address the adverse effects of the implementation of the 'Everything But Arms' proposal on some non-LDC ACP sugar-exporting countries;
6. Calls on the European Union to acknowledge also the contribution of ACP sugar industries to the EU refining industry and, moreover, recognise the mutual benefit to the parties derived from the Sugar Protocol and Special Preferential Sugar Agreement;
7. Calls on the European Union to ensure that, in the context of the implementation of the 'Everything But Arms' proposal, commitments by the European Union under existing agreements with the ACP sugar-supplying states are fully respected;
8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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#### RESOLUTION<sup>(1)</sup>

##### **on the use of depleted uranium ammunition**

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Libreville (Gabon) from 19 to 22 March 2001,

- A. acknowledging worries among the population about the possible consequences of the use of depleted uranium in Kosovo, Bosnia and Serbia and questions about the reasons for the illnesses of soldiers and civilians,
- B. considering that there is as yet no clearly established medical or statistical proof of a link between the use of depleted uranium in ammunition and the occurrence of leukaemia and other forms of cancer, or of other diseases, amongst soldiers and policemen,
1. Urges NATO to investigate the use of depleted uranium in tank-busting ammunition in relation to the occurrence of leukaemia and other forms of cancer, as well as other diseases;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

2. Asks for an independent medical and statistical investigation to clarify the existence of a possible link between leukaemia and other forms of cancer, as well as other diseases, and exposure to depleted uranium or to damages as a consequence of the use of depleted uranium;
3. Calls on NATO and the EU Member States to carry out a full inquiry into the possible effects of these weapons on soldiers, policemen, civilians and the environment in the Balkans and elsewhere and to inform the public as quickly as possible about progress and results;
4. Demands effective measures to protect the civil population in the region and the environment in the event that the results of that investigation confirm the existence of real health problems;
5. Asks NATO to use other types of ammunition in armed conflicts until the results of the investigation are known;
6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and NATO.

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#### RESOLUTION <sup>(1)</sup>

##### on the use of depleted uranium weapons

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Libreville (Gabon) from 19 to 22 March 2001,

- A. mindful of the growing concern surrounding the consequences of possible exposure to radiation and inhalation of toxic dust as a result of the use of depleted uranium weapons, which seem to be affecting several soldiers who took part in military operations in the former Yugoslavia, and in Bosnia in 1994-5 and Kosovo in 1999 in particular,
- B. having regard to various reports, including those by the United Nations, which are as yet incomplete; having regard also to samples taken by the United Nations Environment Programme in Kosovo at the request of Kofi Annan, UN Secretary-General, which reveal that certain areas show traces of radioactivity and contamination which may be linked to bombardment with depleted uranium weapons,
- C. whereas any link established between the use of these weapons and the health problems reported would arouse huge concerns for the health of the civilian population in the areas in question,
- D. whereas there is a need for an in-depth enquiry into all the consequences for military personnel, the civilian population and the environment of the effects of military operations during the Bosnia and Kosovo conflicts, in view of the fact that the effects of the contamination caused by depleted uranium can extend beyond the bombarded areas,
- E. whereas Commission President Romano Prodi declared recently that the Commission was extremely concerned by the effects of years of conflict on health and the environment in the Balkans, adding that the Commission had been asked to collect and analyse all relevant information on the situation in the region,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

1. Calls on the Council and the Member States to initiate an open and transparent debate on this issue in connection with the launch of the Union's new security and defence policy, to investigate this issue as a matter of urgency and to take all measures necessary to address it and to protect public health and the environment;
2. Calls on those Member States that are members of NATO to press for a moratorium on the use of depleted uranium weapons in accordance with the precautionary principle and with the definition set out in the Council resolution adopted at the Nice European Council and in Parliament's resolution on this matter;
3. Calls on NATO to suspend use of this type of weapon pending publication of the results of enquiries into depleted uranium;
4. Calls on the Member States of the European Union and the ACP countries to monitor the situation with a view to preventing for the time being the use of depleted uranium weapons;
5. Calls on the Council and the Member States to create an independent European medical working party to take all the necessary steps in examining the issues connected with the possible link between the use of depleted uranium weapons and the deaths and illnesses of soldiers who took part in military operations in Bosnia and Kosovo;
6. Insists that measures to help the civilian victims and to protect the environment following the military operations be the priorities of aid programmes for the Balkans and reconstruction in the countries of the former Yugoslavia;
7. Calls on the Council Presidency and the High Representative for the CFSP to keep it regularly informed of any discussions connected with 'Balkans Syndrome' within the Council and its subsidiary bodies;
8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Secretary-General of NATO and the United States Congress.

#### RESOLUTION<sup>(1)</sup>

##### **on racism and xenophobia and their repercussions on ACP-EU relations**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
- A. noting that a United Nations Conference on Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance will be held in Durban, South Africa in September 2001,
- B. believing that racist and xenophobic practices and behaviour wherever they exist are unacceptable, intolerable and need to be actively combated,
- C. noting a number of recent developments in Europe that are a serious cause for concern in this regard, including:
  - incidents of racially motivated assaults on all minorities in the European Union,
  - the continued popularity, and growing tolerance in several EU countries, of far right political parties with racist and xenophobic agendas,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

- the continuing racist indignities that black travellers from ACP countries face when they travel to the EU, which reflect a growing mood of hostility towards black foreigners in the EU,
- D. believing that xenophobic and racist attitudes in Europe towards people of African, Caribbean and Pacific origin seriously impede the development of EU-ACP cooperation, by, *inter alia*,
- making the establishment of business contacts more difficult, thereby impeding the development of mutually beneficial commercial relations between ACP and EU,
  - fuelling an attitude in the EU of Afro-pessimism and indifference to the problems of the developing world,
  - undermining the spirit that ought to underlie the building of an effective partnership between the EU and ACP,
1. Welcomes the convening of the United Nations Conference on Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance and expresses the hope that the EU institutions and Member States as well as ACP Member States and organs of civil society will work to make that conference a success;
  2. Applauds the stand taken by some leaders in the EU against certain manifestations of racism and xenophobia in Europe;
  3. Calls for a positive duty to be laid on ACP and EU States' public authorities and institutions to promote racial equality;
  4. Urges ACP and EU States to prosecute and punish vigorously the commission of racist crime, racial harassment and racial attacks;
  5. Calls on the EU Member States to introduce an asylum policy that is non-racist both in spirit and in practice; therefore calls on the EU Council of Ministers to reject the proposal to fine transporters carrying persons with false documents or without documents, as requested by the European Parliament at the last session, since the practice of imposing fines prevents asylum seekers from reaching the Union and results in unfair discrimination against transport companies;
  6. Calls on the States which are signatories to the Cotonou Agreement to sign the international instruments against racism and xenophobia, particularly the International Convention on the Elimination of All Forms of Racial Discrimination, and to implement their provisions;
  7. Recommends greater synergy in the work performed to combat racism by the various institutions which concern themselves with it, particularly the United Nations High Commission for Human Rights, the Council of Europe's European Commission against Racism and Intolerance (ECRI) and the European Monitoring Centre for Racism and Xenophobia;
  8. Therefore calls on the EU to work with the ACP to develop a strategy and programme to be implemented both at the level of the EU and in Member States to actively combat the scourge of racism and xenophobia;
  9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.



**RESOLUTION<sup>(1)</sup>****on human rights**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to the Universal Declaration of Human Rights adopted by the UN General Assembly in 1948,
  - having regard to the results of the UN Conference on Human Rights held in Vienna in 1993 and in particular the formal confirmation of the fact that women's rights must be recognised as an integral part of human rights,
  - having regard to the conclusions of the United Nations Conference on Women and Development held in Beijing in 1994,
- A. whereas the practice of female circumcision is a form of mutilation practised almost exclusively on women belonging to certain African ethnic groups,
- B. whereas this is a violation of the right to physical integrity,
1. Calls on the authorities of the ACP countries in which the practice of female circumcision exists to take the necessary steps to end this practice, adopting all appropriate legislative, administrative and judicial measures and, in addition, launching cultural awareness and information campaigns;
2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on tourism and development in the context of the management and control of the European Development Fund (EDF)**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to its resolution on tourism and development adopted during the 29th session held in Nassau (Bahamas) from 11 to 14 October 1999,
- A. recalling Article 24 of the ACP-EU Partnership Agreement signed in Cotonou (Benin) on 23 June 2000, and its 'Compendium', which set out the objectives of promoting sustainable development of the tourism industry in ACP countries in general, and island ACP states in particular, as well as sub-regions and recognising its increasing importance to the growth of the services sector in ACP countries and to the expansion of their global trade, its ability to stimulate other sectors of economic activity, and the role it can play in poverty eradication,
- B. noting the potentially precedent setting nature for public/private sector partnership in the tourism sector which can help to attain one of the most important goals of EU-ACP development cooperation,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

1. Calls on the Community and the Member States to fully implement the provisions of Article 24 of the ACP-EU Partnership Agreement without delay;
2. Expects that EU-ACP cooperation to promote the sustainable development of the ACP tourism sector be conducted with the full involvement of the private sector and other civil society actors in all stages of the programming process;
3. Calls on the Commission to ensure that all future cooperation and trading arrangements take into account the EC's policy for the promotion of sustainable tourism in the developing countries [COM(1998) 563], the EC's strategy for private sector development in the ACP countries [COM(1998) 667] and the tourism provisions of the ACP-EU Partnership Agreement;
4. Calls on the Commission, the Member States and the ACP countries, in accordance with the general objectives and priorities of development, to devote an appropriate proportion of EDF grants to promoting environmentally and socially acceptable tourism;
5. Believes that, in adopting such measures, particular attention should be devoted to support for small and medium-sized enterprises, especially in fields directly or indirectly linked with tourism, fostering the cultural heritage and cultural events such as museums, memorials, hotels, restaurants, management of nature parks, travel agencies, trade, local handicraft production and marketing or small industries, in order to ensure higher levels of sustainable earnings from tourism;
6. Recognises the importance of the tourism sector to the economic development of the ACP regions, and in this regard, welcomes such initiatives as the Caricom Heads of Government's decision to convene a Regional Tourism Summit on 6 to 7 July 2001 in the Bahamas with the full participation of all tourism stakeholders and with the aim of placing tourism at the heart of the Caribbean region's economic development strategy and planning;
7. Stresses, in this connection, the importance of preserving landscapes in urban and rural development planning, attaches importance to preservation of the cultural heritage and stresses the need to protect buildings and cultural sites;
8. Stresses the importance of ensuring that environment, culture and traditional ways of life are not jeopardised by tourism, and therefore calls on the EU Member States, the ACP countries, the Commission and the EIB — particularly in countries where tourism is a major activity — to seek to secure balanced policies on culture and tourism, geared to sustainable development, which should involve assessments being performed, fields of action determined and dialogues among the main participants coordinated;
9. Calls on the Commission to ensure that implementation of tourism programmes under the 8th EDF is not delayed any further, causing the resources involved to be rolled up into the 9th EDF, and that the implementation proceeds immediately in a timely fashion and in a manner that promotes the sustainable development of the sector;
10. Calls on the Commission to ensure that the DG Development and EuropeAid retain the institutional capacity to deal with the tourism sector in a manner commensurate with the sector's status as a leading provider of income and employment in ACP countries;
11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on the management and control of the European Development Fund (EDF)**

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Libreville (Gabon) from 19 to 22 March 2001,

- A. whereas the European Commission, in its communication of 26 April 2000<sup>(2)</sup>, stated that the overarching objective should be to refocus the EU's development policy on poverty reduction and the Council and the Commission, in their statement of 10 November 2000, stated that the main objective of Community development policy must be to reduce and, eventually, to eradicate poverty,
  - B. whereas the Joint Parliamentary Assembly has expressed its wish that the progress towards meeting poverty eradication targets through the deployment of EDF funds should be assessed in annual reports and should be sent to the European Parliament, the Joint Parliamentary Assembly and the National Parliaments of each ACP country, in order to facilitate debate on the utilisation and deployment of EDF funds<sup>(3)</sup>,
  - C. whereas the poverty focus of the EU development policy has been expressed in the 2001 budget with emphasis on the Least Developed Countries, most of which are members of the ACP, and an emphasis within developing countries on basic education and health,
  - D. whereas the Commission has set in motion a reform process that combines the strategic goals of the European development policy and the internal management of its programmes for external aid in the light of the debate on improving the relevance and effectiveness of external Union actions,
  - E. whereas the Budgetary Authority (Council and Parliament) in December 2000 approved a policy-based development budget for the year 2001 making the EU budget compatible with the internationally recognised classification system (OECD-DAC) for categorising development aid and by introducing sectoral output targets in the budget lines with a geographic destination, in accordance with DAC guidelines, thereby enabling a result-oriented approach,
  - F. whereas it has been specified that the output targets in the 2001 budget may vary between countries based on the needs identified in the programming exercise and the Commission may justify deviations from the global targets provided that they are substantiated in an annual report to the European Parliament; whereas the Commission furthermore should provide an annual overview of actual commitment and payment forecasts to make sure that the agreement to exhaust the funds of the 9th EDF by 2006 is respected,
  - G. whereas the European Commission and the European Parliament have repeatedly called for the EDF to be incorporated in the overall EU development budget as this would considerably enhance the transparency, visibility and consistency of European external action,
  - H. whereas the provisions concerning development finance cooperation are laid out in Part Four of the Cotonou Partnership Agreement and in particular Title IV which addresses procedures and management systems,
1. Believes that while speeding up EU development aid is essential, the current reform of the EU's management of external action should be underpinned by a clear vision of the political objectives of EU external assistance; is in this context deeply concerned about the current trend to cut budget lines for development aid while at the same time the total budget for external action of the European Union is increasing;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

<sup>(2)</sup> Communication from the Commission to the Council and the European Parliament on the European Community's Development Policy (COM(2000) 212 final).

<sup>(3)</sup> Resolution on the future of ACP-EU relations, adopted by the ACP-EU Joint Assembly on 23 March 2000 — OJ C 263, 13.9.2000.

2. Believes that a greater emphasis on sectoral areas related to social services is essential to fulfil the goal of poverty eradication as confirmed within the context of the objectives and strategies agreed at international level by the Northern and Southern countries and affirms that the European Parliament's decision to advise a doubling of the targets for basic education and basic health for the EDF budget is therefore an expression of a first step towards a clearer poverty focus in the EU's development policy;
3. Welcomes the implementation by the Commission of the OECD-DAC classification system for the EDF, which facilitates a harmonised reporting system for development aid, but deems it necessary that the same system be used for the general EU aid budget as this would allow a comprehensive overview of aid flows including their sectoral orientations;
4. Calls on the Commission to inform the ACP countries of the changes approved by the EU Budget Authority for the 2001 budget as these changes, and especially the result-oriented sectoral targets, should be taken into account when negotiating the National Indicative Programmes and Country Support Strategies as agreed under the Cotonou Agreement;
5. Calls on the Council to simplify the EDF Committee procedures, to concentrate this Committee's focus on strategic issues and to ensure sufficient knowledge among EU delegation staff of the regional development context and sectoral issues to facilitate a more rapid disbursement of the funds of the 9th EDF;
6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

# RESOLUTION <sup>(1)</sup>

## on EDF management

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Libreville (Gabon) from 19 to 22 March 2001,

- A. whereas EU development aid, within the framework of ACP-EU Partnership Agreement, is provided through the European Development Fund,
- B. whereas capacity building, poverty eradication, equality among partners and accountability are the main objectives of the Cotonou Agreement,
- C. whereas project preparation and identification are in principle the responsibility of the ACP states but are in reality done by the EU and whereas EDF financial management is exclusively the responsibility of the Commission,
- D. whereas EU delegations in ACP countries rely on the Commission's officials for the implementation and management of projects while ACP qualified human resources exist in most of the beneficiary countries,
- E. whereas the Commission has suspended the funding of the ACP secretariat based on allegations of mismanagement and irregularities,

1. Calls for the integration of EDF funds in the general budget of the European Union;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

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2. Notes with concern that the ACP States' share of contracts from the EDF is less than 25 % and that the lion's share of the contracts is awarded to EU firms; calls, therefore, on the Commission and the ACP States to rectify this situation by increasing ACP's role;
3. Asks for a joint evaluation of EDF expenditure including programme management and implementation;
4. Affirms that the decision on priority areas for the use of EDF funds is for the ACP countries concerned to make and calls for the joint management by each ACP country and the Commission; is of the view that ACP countries should be invited to apprise the JPA of any difficulties encountered in accessing EDF funds or in project implementation;
5. Demands that it be fully informed about the Commission's allegations with regard to the ACP secretariat's management practices;
6. Demands that EDF financial expenditure joint report be presented in order to fully inform parliamentarians and to ensure fair partnership, accountability, transparency and the spirit of shared responsibilities;
7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

# RESOLUTION <sup>(1)</sup>

## on the situation in Western Africa

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to its previous resolutions on the situation in the countries of Western Africa,
  - having regard to its resolution on Guinea adopted by the European Parliament on 15 February 2001,
  - having regard to the UN and OAU Charters on the inviolability of borders,
- A. having regard to efforts to achieve political, economic and monetary integration carried out under the aegis of the Economic Community of West African States (ECOWAS) and West African Economic and Monetary Union (WAEMU),
  - B. noting the encouraging signs that democratic pluralism is making progress and becoming more firmly rooted in Western Africa,
  - C. having regard to the successful organisation of the presidential elections of March 2000 in Senegal in accordance with long-established democratic practices in that country, which further ensured an open and pluralist political climate for the next elections and whereas early general elections are to be held on 29 April 2001,
  - D. whereas free and fair parliamentary and presidential elections took place in Ghana on 7 and 28 December 2000, thereby consolidating democracy in that country,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

- E. sharing the concerns and aspirations of all Ghanaian peoples in favour of the entrenchment of the fundamental universal principles of democracy, human rights, equity and justice in their polity,
- F. taking into account that preparations for the presidential elections in that country were representative of due democratic processes,
- G. having regard to the political change in Ghana, where the former opposition leader John Kufuor has assumed power following the victory of his party — the New Patriotic Party — in the general elections and the peaceful withdrawal of former President Jerry Rawlings after 19 years in power,
- H. whereas free and transparent general and presidential elections were held in Cape Verde leading to the election of a legitimate government and president,
- I. having regard to the calmer political climate now prevailing and the return to democratic rule in Niger,
- J. having regard to the encouraging signs of political stabilisation and greater democracy in Benin, which should be confirmed by the presidential elections in March 2001,
- K. concerned at the economic difficulties and persistent poverty within the region, which are being aggravated by fluctuations on the commodity markets,
- L. aware of developments in Côte d'Ivoire and concerned at the risk of destabilisation of the entire sub-region, given the importance of this country in political, economic and demographic terms,
- M. concerned by the excesses committed by the Ivorian security forces which have been denounced by NGOs and noting the recent action taken by the Ivorian authorities to end the immunity of those responsible for committing outrages,
- N. having regard to the opening on 15 February 2001 of a consultation procedure concerning the situation in Côte d'Ivoire under Article 96 of the Cotonou Agreement,
- O. whereas the Mano River Union countries (Guinea, Sierra Leone and Liberia) have suffered violent rebel incursions into their territories,
- P. whereas, since September 2000, these armed attacks have been intensified, causing thousands of deaths and resulting in hundreds of thousands of displaced persons and causing major damage to property,
- Q. whereas these barbarous acts are designed to destabilise Guinea and exploit its mineral, crop and other resources,
- R. alarmed at the dramatic situation which has developed in this area, and by the urgent appeals made by a number of NGOs warning of an impending humanitarian disaster, particularly in the Guékédou region where 180 000 refugees and 70 000 displaced Guineans are caught up between warring parties and where the activities of NGOs, acting under the aegis of the Office of the High Commissioner for Refugees (HCR) and the World Food Programme are being hampered or prevented by hostilities,
- S. whereas the meeting of the ECOWAS Defence and Security Commission, held in Abuja, decided to secure the borders between Guinea and Sierra Leone and Guinea and Liberia with West African troops; whereas the force's mandate also includes ensuring security for humanitarian agencies and refugees,
- T. whereas Guinea has, for almost ten years, provided aid and shelter for refugees from Sierra Leone and Liberia,
- U. condemning the illegal trade in diamonds, which is fuelling existing tensions, and the support being given by the Liberian authorities to the Revolutionary United Front (RUF) rebels. Noting their undertaking to put an end to support for the RUF and expel members of this organisation from Liberian territory,

- V. whereas in the context of the United Nations peace process in Sierra Leone deployment has commenced in the rebel-held zone in accordance with the cease-fire agreement signed on 10 November 2000,
1. Encourages the efforts to achieve political, economic and monetary integration being made under the aegis of the ECOWAS and the WAEMU; and stresses that the path to economic prosperity, peace and democracy passes through far-reaching regional cooperation and the formation of structured regional groupings;
  2. Firmly endorses the initiatives taken by the ECOWAS for the restoration and preservation of peace in the area in accordance with the guidelines laid down in the 24th summit meeting of Heads of State belonging to this organisation, which was held on 15 December 2000 in Bamako;
  3. Welcomes the fact that democracy is becoming more firmly established in many countries of the region as evidenced by the holding of free, pluralistic and transparent elections and expresses the hope that such a climate will prevail for the next elections;
  4. Congratulates the Cape Verdean people and all parties concerned on the peaceful and orderly manner in which the 14 January elections took place and calls on the EU to step up its cooperation with the Cape Verdean authorities for the benefit of the Cape Verdean people;
  5. Calls on the newly-elected government of Cape Verde to introduce rapidly its reform plans for economic restructuring and development, particularly with regard to sustainable measures to promote tourism and measures seeking to combat poverty and unemployment;
  6. Congratulates the Ghanaian people and all parties concerned on the peaceful and orderly manner in which the elections of 7 and 28 December 2000 were held and calls on the EU to step up its cooperation with the Ghanaian authorities for the benefit of the Ghanaian people;
  7. Congratulates the Senegalese people and all parties concerned on the peaceful and orderly manner in which the elections of 19 March 2000 were held, encourages them to continue to display the same spirit of openness, comprehension and tolerance at the elections to be held on 29 April 2001 and calls on the EU to step up its cooperation with the Senegalese authorities for the good of the Senegalese people;
  8. Reiterates its conviction that respect for human rights and democratic principles constitute the cornerstone of efforts to achieve stabilisation and peace in this sub-region;
  9. Applauds the various independent candidates and political parties, in all countries where democratic elections were held for their mature acceptance of the peoples' verdict;
  10. Congratulates the independent electoral commissions for their unbiased handling of these elections;
  11. Calls on the Commission to encourage the democratisation of the institutions and societies within the countries of the region and to support their moves to achieve integration by proposing appropriate cooperation initiatives, together with a debt alleviation programme to widen and accelerate the HIPC initiative for heavily indebted poor countries, which was launched in 1996 by the World Bank and IMF and further strengthened by the G7 at the Cologne Summit in 1999;
  12. Calls on the Council to act on this regional integration principle so as to safeguard and promote the common interests of the European Union and its African partners particularly in the context of international trade negotiations;
  13. Calls on the newly-established authorities and members of the entire Ivorian political spectrum to work together to achieve political stability and national reconciliation;
  14. Welcomes the commitments given by the Government of the Republic of Côte d'Ivoire in the framework of the EU-ACP consultations and particularly the setting up of a monitoring committee;

15. Welcomes furthermore the participation of all Ivorian political parties in the municipal elections of 25 March 2001;
16. Deplores the number of civilian victims within the Mano River Union states' refugee population and strongly condemns the armed attacks along the Guinea, Liberia and Sierra Leone borders and those who give aid and support to aggressors and supply them with arms;
17. Supports unreservedly the UN Security Council resolutions concerning attacks on the Republic of Guinea and calls on the international community to implement them;
18. Urges the leaders of the Mano River Union States, grouping Guinea, Liberia and Sierra Leone, to meet at once and find a common and permanent solution to the crisis in the sub-region to alleviate the sufferings of their people;
19. Welcomes the decision of the ECOWAS to deploy a peacekeeping force along the Guinean border and stresses the urgent need to put this decision into effect;
20. Calls on the Guinean authorities to play an active part in resolving the regional crisis, helping to stabilise the internal political situation;
21. Calls on the all the countries concerned to support the ECOWAS in its efforts to restore peace to the area and calls on the Guinean and Liberian authorities to sign the agreement concerning the status of the peacekeeping force so that it can be deployed more rapidly;
22. Endorses the efforts by the High Commissioner Ruud Lubbers to set up a safety corridor for the evacuation of tens of thousands of refugees trapped by hostilities in south-east Guinea and calls on the HCR and the Guinean authorities to agree as soon as possible on means of transferring refugees to a safe haven in one of the transit centres furthest from the border or repatriating them if their country of origin is able to guarantee their safety and provide them with the necessary assistance;
23. Calls on the Commission to step up its humanitarian aid for refugee populations in cooperation with the HCR and the NGOs present on the spot;
24. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN High Commissioner for Refugees, the ECOWAS Chairman and the governments of Cape Verde, Guinea, Côte d'Ivoire, Liberia and Sierra Leone.



**RESOLUTION<sup>(1)</sup>****on Central Africa**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to the Council Declaration of 22 January 2001 regarding the assassination of President Laurent-Desiré Kabila,
  - having regard to the common position adopted by the Council on 29 January 2001 concerning the implementation of the Lusaka agreement and the peace process in the Democratic Republic of the Congo (DRC),
- A. having regard to the Lusaka agreement signed in 1999 by the governments of the countries of the African Great Lakes region providing for a UN-monitored ceasefire, the removal of weapons from all armed factions, the withdrawal of all foreign forces from the DRC and the opening of a national dialogue between the DRC Government and internal opposition groupings,
- B. noting the appointment of Joseph Kabila as DRC leader following the assassination of President Laurent-Desiré Kabila on 16 January 2001,
- C. welcoming UN Security Council Resolution No 1341, adopted on 22 February 2001, particularly as regards the new deadlines for the effective withdrawal from the DRC of belligerent foreign forces and the organisation of the intercongolese dialogue,
- D. regretting that the Burundian party representatives meeting in Arusha at the end of February in a bid to find a political solution to the crisis in Burundi were unable to reach agreement on the form of the future transitional government, despite the mediation of five Heads of State attending the meeting and that of Mr Nelson Mandela,
- E. whereas respect for human rights and democracy must be the cornerstone of national reconciliation and reconstruction,
1. Condemns the assassination of Mr Laurent-Desiré Kabila, President of the Democratic Republic of Congo; strongly condemns all acts of violence against civilian populations and calls on the warring parties to respect fundamental human rights;
2. Reaffirms that the only means of ensuring durable peace in the region, and in particular the DRC, is to reach a negotiated peace agreement which is fair to all the parties concerned and respects the territorial integrity and national sovereignty of the DRC, together with democratic principles and human rights in all countries of the region;
3. Welcomes the relaunching of the peace process in the African Great Lakes region following the most recent meeting in Lusaka on 16 February 2001, resulting in acceptance by the DRC of the role of Mr Ketumile Masire as 'Facilitator of the Intercongolese Dialogue', the decision of the United Nations to deploy their observers in the DRC from 20 February 2001 and the announcement of a new timetable of measures to promote intercongolese dialogue and for the withdrawal of foreign troops from the whole of the DRC territory;
4. Calls for greater financial support for the Government of the Republic of Zambia to cover the cost of caring for the large number of refugees resulting from the conflicts in progress in the Great Lakes region and in the Democratic Republic of the Congo;
5. Calls on all countries of the African Great Lakes region to refrain from any action against a neighbouring country and accordingly welcomes the decision taken independently by Rwanda and Uganda regarding a unilateral withdrawal of their troops over a distance of 200 kilometres from their present positions, commencing on 28 February 2001, and the fact that Uganda has withdrawn many of its troops, together with the decision under the 1999 Lusaka agreement to disarm the interhamewe militias and former Rwandan armed forces attacking Rwandan territory;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

6. Calls on the United Nations to assume fully its peacekeeping role by deploying as soon as possible 550 observers and a 2 500 -strong peacekeeping force, as already decided by the UN Security Council; calls on the European Union to support UN efforts in this direction;
7. Reaffirms its support for the 1999 Lusaka agreement, which provides a consensus on the basis of which peace can be restored in the DRC and the region as a whole; urges all parties concerned to comply with UN Security Council Resolution No 1304 to the letter;
8. Calls on the Council and Commission to support efforts to implement the Lusaka agreement and Mr Masire's mediation efforts and urges them to take the necessary political and economic measures without delay to ensure that the agreement can be properly implemented;
9. Earnestly calls on all parties concerned to cooperate unreservedly with the UN panel of experts responsible for investigating the illegal exploitation of natural resources and other sources of wealth in the DRC;
10. Calls on the Member States to honour their commitments concerning the monitoring of arms exports and the prevention of illicit sales of arms and of the trafficking activities through which the necessary funding is obtained;
11. Expresses its disappointment at the failure of the Arusha negotiations on the future transitional government in Burundi and notes that the proposal accepted for consideration in the forthcoming negotiations was the one drawn up by Mr Nelson Mandela, dividing the three-year transitional period provided for in the August 2000 peace agreement into two: for the first 18 months the presidency would be held by groups of the same political persuasion as the current presidency and for the remaining 18 months by other groups;
12. Calls on all the governments of the region to commit themselves more firmly to the democratisation of their countries and the promotion of human rights;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations Secretary-General, the OAU, the governments of the DRC, Rwanda, Uganda, Burundi, Angola, Zimbabwe and Namibia.

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## RESOLUTION <sup>(1)</sup>

### on Burundi

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to the Arusha agreement of 28 August 2000 on peace and reconciliation in Burundi,
  - having regard to UN Security Council Declaration No 5/PRST/2001/6 of 2 March 2001,
  - having regard to the statement issued by the Presidency of the European Union on 6 March 2001 concerning Burundi,
- A. recalling its resolution No ACP-EU 3005/00/fin adopted after its first session held in Brussels from 9 to 12 October 2000,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

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- B. concerned at the growing climate of insecurity following incursions by armed groups in the South-East region and attacks on the outlying northern districts of the capital, Bujumbura, at the end of February and in early March 2001,
- C. convinced that the only way of resolving the conflict in Burundi, which has already claimed many lives, is to negotiate peace, reconciliation and national reconstruction,
- D. deploring the blind recourse to violence directed at a population whose conditions of existence are already precarious owing to seven years of war, the economic embargo unjustly imposed on Burundi for three years running, uncertain climatic conditions and endemic diseases (Malaria and HIV/AIDS),
1. Strongly condemns the continued attacks by armed groups belonging to the National Liberation Front (FNL/PALIPEHUTU) and Forces for the Defence of Democracy (CNDD/FDD) despite the unremitting efforts by the media for Mr Nelson Mandela and the Government of Burundi to bring them to the negotiating table;
  2. Condemns all acts seeking to compromise the peace process in Burundi, especially the refusal to negotiate a ceasefire;
  3. Urges the Government to take all appropriate measures to protect the populations and enable help and humanitarian assistance to be distributed to those in need;
  4. Requests all the parties to the peace and reconciliation agreement concluded on 28 August 2000 in Arusha, Tanzania, to assume to the full their responsibilities in working together to ensure that the armed groups cease hostilities as soon as possible and negotiate a ceasefire so as to create suitable conditions for the establishment of transitional institutions;
  5. Requests Burundi's partners, particularly those who have endorsed the peace and reconciliation agreement of 28 August 2000, to continue to demonstrate their solidarity with the people of Burundi by refusing to allow the armed groups to use their territories as politico-military bases in accordance with Article 2 of the Arusha agreement for peace and reconciliation;
  6. Supports the recent efforts by the UN, the OAU and the countries involved in the conflict in the Democratic Republic of Congo to ensure that the Lusaka agreement, which provides for the neutralisation of the forces guilty of genocide, is implemented;
  7. Requests all the countries in the region and the international community, acting in accordance with Article 2 of the Arusha agreement of 28 August 2000, to take the necessary measures to outlaw, disarm and, if need be, stop and detain those armed groups and further to take appropriate measures against any side that encourages or supports such activities;
  8. Asks the European Union to grant emergency humanitarian aid to the civilian populations in need and requests all the parties to grant to the humanitarian organisations completely safe and unhindered access to all the regions of the country;
  9. Requests the donor community to honour the undertakings it made at its Paris conference of 11 and 12 December 2000;
  10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the government of Burundi.

**RESOLUTION<sup>(1)</sup>****on Southern Africa**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
- A. whereas the UNITA leadership is persistently violating its commitments under the peace process and in particular the Lusaka Protocol,
- B. concerned by the renewal of military operations by UNITA and the recent incursions into Namibia in violation of that country's sovereignty for which UNITA's leader Mr Jonas Savimbi should be personally held responsible,
- C. considering that the continuing conflict in Angola between UNITA rebels and government forces has been fuelled by significant illegal diamond trade, and whereas no lasting settlement can be found to the Angolan conflict as long as the massive diamond-smuggling operations which fund UNITA are largely used for arms procurement,
- D. whereas UN Security Council Resolution 1295 (2000) on the implementation of the measures against UNITA called for a tightening of these measures, *inter alia* through the establishment of a monitoring mechanism,
- E. concerned by the increase in mine laying activity in Angola, a country which has been a major focus of the EU demining efforts,
- F. whereas in spite of the country's significant natural resources, the continuing conflict means that the population in Angola continues to live in conditions of great poverty,
- G. whereas there are reported cases of alleged intimidation of journalists, peaceful protestors and opposition politicians,
- H. whereas the Angolan authorities and leading political parties have delayed the general elections originally scheduled for this year to the second half of 2002,
- I. deploring the violent clashes in northern and central Mozambique of 9 November 2000, which caused at least 41 deaths, after the demonstrations organised by the main opposition party, RENAMO, degenerated into battles with the police in a number of towns and cities,
- J. whereas it is alleged that in many instances the police opened fire on the demonstrators and whereas many of the dead were members of RENAMO,
- K. whereas a further tragedy followed these clashes, resulting in 96 deaths in a cell in Montepuez on the night of 21-22 November 2000,
- L. whereas in recent years Mozambique has shown that it is capable of a sustained commitment to national reconciliation and multi-party democracy, with the support of the international community and in particular the EU and its Member States,
- M. whereas renewed floods continue to hit Mozambique, in particular in the provinces of Zambezia, Manica, Tete and Sofala, having already caused the displacement of 140 000 people and 70 deaths,
- N. whereas the parliamentary elections that took place in Zimbabwe on 24-25 June 2000 were characterised by high levels of violence, intimidation and coercion in the pre-election period and the election campaign,
- O. whereas since the parliamentary elections the main opposition party, the Movement for Democratic Change, and the European Union have expressed concern at the alleged intimidation and harassment of the independent media and arrest of opposition officials and supporters, including the events surrounding the recent expulsion of two international journalists and a series of bombing attacks which are now under investigation,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

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- P. recognising that the resolution of the land issue in Zimbabwe, a country with an agrarian based economy, is important to promote the economic empowerment and social welfare of all citizens,
- Q. whereas the illegal occupation of commercial farms is a further violation of the rule of law in Zimbabwe and the important issue of fair land distribution can only be resolved by a democratic and non-violent process based on the rule of law,
- R. whereas the Government's fast-track land resettlement programme may undermine the significant contribution of commercial farming to the Zimbabwe economy and also recognising the need for an increasing role of small scale and communal farmers in the production of crops such as cotton, tobacco and maize,
- S. whereas the European General Affairs Council agreed on 27 February 2001 to propose to the Government of the Republic of Zimbabwe a comprehensive political dialogue; in accordance with Article 8 of the Cotonou Agreement,
1. Condemns the new outbreak of violence and mine-laying activities by UNITA and its leadership under Mr Savimbi, which has failed to demilitarise its forces and facilitate the extension of state administration throughout the national territory, in defiance of pressing demands of the Security Council;
  2. Calls on the UN, EU and ACP countries to maintain strong international pressure on UNITA's leadership, to tighten the existing UN sanctions in application of Security Council Resolution 1295 (2000) and to make accountable countries, companies and individuals responsible for violating the sanctions;
  3. Urges the Government of Angola to implement fully the strengthening of its democratic institutions and the respect of human rights, freedom of the media, the rule of law and justice throughout the country;
  4. Encourages the Government of Angola to continue to promote democracy and transparent management of public resources for the benefit of all her population and to support the pursuit of sound macro-economic policies, which can ensure more accountability and better prospects for economic growth and sustainable development;
  5. Calls on UNITA and its leadership under Mr Savimbi to fully cooperate with the United Nations, the Government of Angola and humanitarian organisations in their efforts to restore peace and to provide assistance and relief to all those in need in the country;
  6. Condemns the violent clashes which accompanied the demonstrations in the centre and north of Mozambique on 9 November 2000 and deplores the deaths in custody that occurred in Montepuez on the night of 21 to 22 November;
  7. Calls on the leaders of all political parties, as well as the public authorities and civil society, to engage in constructive dialogue and not to undermine the laudable efforts which have been made in the recent past towards national reconciliation and multi-party democracy;
  8. Welcomes the recent setting up of a commission of inquiry by the Mozambican parliament to investigate the incidents of November 2000 and urges all parties to cooperate fully in this inquiry;
  9. Calls on the Commission to address a rapid and efficient humanitarian response to the current wave of floods and to monitor closely the possibility of even more floods;
  10. Calls on the EU to continue its support for the process of political and socio-economic transition in Mozambique;

11. Commends the impressive turnout in the parliamentary elections of 24 and 25 June 2000 by which Zimbabwe's people showed their democratic maturity and determination to influence their own destiny; considers, nevertheless, that according to the EU Observer Team, the elections cannot be described as free and fair due to the high level of violence and intimidation which preceded the polling days; urges the Government of Zimbabwe to address as a matter of urgency the serious defects in these elections;

12. Noting the conclusions of the ACP Observer Team that the expectations which had been engendered by the unsettled and tense atmosphere during the election campaign proved to be unfounded over the two-day period for the casting of ballots and that there had been a clear victor in these elections, namely democracy and the democratic process in Zimbabwe;

13. Condemns the bombing on 28 January 2001 of the printing works of the 'Daily News' newspaper in Harare and the other recent attacks on vendors of the Herald and Sunday Mail; urges the Government of Zimbabwe to restore law and order and bring those responsible for these incidents to justice;

14. Calls on the Government of Zimbabwe to implement the Land Reform and Resettlement programme in accordance with the country's laws and to establish a Land Commission; urges the donor community to consider new funding arrangements for the exercise taking into account the principles and conclusions of the 1998 Donors Conference on land reform;

15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN, OAU, SADC and the governments of Angola, Mozambique and Zimbabwe.

#### RESOLUTION <sup>(1)</sup>

##### **on flooding in Mozambique**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
- having regard to resolution ACP-EU 2950/00/fin adopted at the 29th session of the Joint Assembly in Abuja (Nigeria) on 23 March 2000, and recalling that the same resolution also called on EU Member States and the Commission 'to cancel Mozambique's bilateral and Community debt in full',
- A. having regard to the serious flooding which has recently afflicted various regions of Mozambique, causing countless deaths, leaving many unaccounted for and making hundreds of thousands homeless,
- B. whereas this fresh flooding has destroyed farms, caused the loss of thousands of head of cattle and created major difficulties regarding supplies of drinking water and food for the populations affected,
- C. whereas thousands of homes and countless basic infrastructures have been destroyed,
- D. having regard to the enormous economic, social and public health problems caused and the weakness of the Mozambican economy, making an adequate and timely response to the present dramatic situation impossible,
- E. having regard to the appeal for emergency aid from the Mozambican Government and a number of international institutions,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

- F. having regard to the devastating effects of the flooding which occurred early in 2000, causing 700 deaths and an estimated \$600 million worth of damage,
- G. recalling the commitments then undertaken by the Commission, the EU Member States and the ACP countries to assist the Mozambican authorities to meet the needs of the population, restore infrastructures and develop economic activities,
- H. further noting that, despite calls from the Mozambican Government, other Southern African leaders, NGOs and some EU Member States, the Paris Club of creditor nations agreed in March 2000 only to suspend repayments but not to cancel Mozambique's external debt,
1. Expresses its solidarity with the people of Mozambique and supports the efforts being made by the authorities and by the people themselves in response to the flooding;
2. Welcomes the prompt action by certain governments and non-governmental organisations in providing aid in response to the nature and gravity of the situation but draws attention to the shocking slowness of the international community to react and the low level of resources made available by it to assist Mozambique;
3. Calls on the Commission, the EU Member States and the ACP countries to step up emergency aid to assist the Mozambican authorities to meet the most urgent needs of the population and take action in response to the destruction caused;
4. Supports the holding of a further international conference to assess the situation, mobilise essential emergency aid at international level and adopt economic and financial measures to assist in the necessary reconstruction of the regions affected and in the recovery of the sorely afflicted Mozambican economy;
5. Calls for the cancellation of Mozambique's external debt so as to allow the development of humanitarian, social and infrastructural programmes in that country;
6. Calls for urgent aid for mine clearance in many areas of the country, in particular by providing the necessary technical back-up;
7. Considers it urgent to create international cooperation structures and mechanisms making it possible to provide prompt assistance for the afflicted populations by mobilising the extraordinary technical resources currently available for genuine humanitarian purposes and not for the pursuit of arms-building or interventionist ambitions;
8. Instructs its President to forward this resolution to the ACP-EU Council, the Commission, the Government of Mozambique and the UN Secretary-General.
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**RESOLUTION<sup>(1)</sup>****on the political situation in the Comoros**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to the OAU Charter on the inviolability of borders,
- A. whereas the political instability which has, for a number of years, been affecting the Islamic Federal Republic of the Comoros was further aggravated by the separatist tendencies of a large proportion of the population and of the political classes on the island of Anjouan,
- B. having regard in this connection to the coup of 30 April 1999, which brought to power a military junta led by Colonel Azali, leading to the formation of the government led by Ahmada Madi,
- C. having regard to the failure on 10 December 2000 of efforts to establish an open government including representatives of the opposition parties,
- D. having regard to the mediation efforts of the Organisation of African Unity (OAU), the European Union and the International Organisation for the French-Speaking World (IOF),
- E. having regard to the signature on 17 February 2001 of an agreement between the ruling military junta, the Anjouan separatist leaders and the Comoro opposition members seeking to end the political crisis affecting the islands,
1. Welcomes the success of the mediation efforts of the OAU, the European Union and the IOF;
  2. Welcomes the prospects offered by the agreement signed on 17 February providing for an enlarged Union incorporating Anjouan and the drawing up and adoption of a new constitution marking the return to legality and the end of the military regime which has been in place since April 1999;
  3. Calls on the Comoran authorities to show that they are willing to implement these directives without delay in an open and constructive spirit;
  4. Calls on the Commission to strengthen progressively its cooperation with the Comoros to assist the current process of a return to democracy and civil peace;
  5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Comoran Government.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).



**RESOLUTION<sup>(1)</sup>****on the question of Belize**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to its resolution on Belize at the 1st session of the ACP-EU Joint Parliamentary Assembly in Abuja, Nigeria,
  - having regard to the Agreement on Confidence Building Measures signed by the Parties on 8 November 2000 in Washington DC,
- A. alarmed at the recent reactivation of the territorial claim by Guatemala, which now claims more than 12 000 square kilometres, or more than half of Belize's land area,
- B. concerned by the delays in the implementation of the Agreement and by the pattern of illegal Guatemalan settlements being established within the territory of Belize,
1. Reaffirms its unequivocal support for the sovereignty, independence and territorial integrity of Belize in accordance with its long-established and internationally recognised borders;
2. Welcomes the agreements reached by both parties at an Emergency Ministerial Meeting on 17 January 2001 in Miami Florida (USA) and at the Ministerial Meeting of 5-7 February 2001 in Washington DC whereby the parties *inter alia* agreed on the terms of repatriation of illegal Guatemalan settlers and agreed on procedures for addressing the merits of the territorial dispute;
3. Urges the Parties to faithfully carry out the agreements reached between them, and to put into effect agreed measures that will ease tensions along their border, which is a prior condition for the holding of fruitful discussions that will result in the early and definitive settlement of their differences in accordance with the principles and practices of the United Nations and with full respect for the sovereignty, independence and territorial integrity of Belize;
4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

**RESOLUTION<sup>(1)</sup>****on the situation in Haiti**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to its previous resolution on the situation in Haiti,
  - having regard to Article 96 of the Cotonou Agreement concerning violations of human rights and respect for democratic principles and the rule of law,
- A. whereas the controversy surrounding the percentage calculation method used by the Provisional Electoral Council at the legislative and municipal elections of 21 May 2000 has still not been resolved and the country is now in political deadlock,
- B. whereas a procedure for consultation between the EU and the Haitian authorities was initiated after the legislative and municipal elections of 21 May 2000,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

- C. whereas the European Union has suspended cooperation with Haiti pursuant to Article 96 of the Cotonou Agreement, and whereas the Haitian authorities and the ACP Secretariat regard this decision as premature and precipitate,
- D. having regard to the call by the ACP Secretariat for consultation procedures as provided for in Article 96 to be defined clearly and transparently and regretting the lack of genuine consultation with the Haitian authorities,
- E. whereas respect for democratic principles and human rights is the only means by which Haiti will find the political stability it needs for economic and social development and is essential as a basis for the resolution of the current crisis,
1. Calls on President Aristide and the leaders of the opposition parties to find a political solution to the disputes concerning the percentage calculation method used by the Provisional Electoral Council in the legislative elections of 21 May 2000;
  2. Considers that the Provisional Electoral Council must remain independent, representative and transparent and must be given the task of amending the vote calculation method in order to lead the country out of its political deadlock and create conditions conducive to the development of the country;
  3. Calls on the Commission to examine ways of assisting the Haitian people;
  4. Considers that it is necessary to adopt clear and transparent criteria for the consultation procedure under Article 96 of the Cotonou Agreement and to assess the democratic process in terms of respect for human rights, the rule of law and the democratisation of society in general;
  5. Calls on the Bureau of the Joint Parliamentary Assembly to explore ways of involving the Assembly in consultation procedures under Article 96;
  6. Considers that aid to development can only be accorded subject to respect for human rights, democratic principles and the rule of law as laid down in Article 9 of the Cotonou Agreement;
  7. Calls, therefore, on the Council and Commission to resume genuine consultations with Haiti, where the economic situation is increasingly precarious;
  8. Calls, in any event, on the Council and Commission to suspend sanctions, resume dialogue on a realistic and clearly-defined basis and support the Haitian people by enhancing its system for the management of training, education and health;
  9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Government of Haiti.
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**RESOLUTION<sup>(1)</sup>****on accession by Cuba to the new ACP-EU Agreement**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to the decision of the ACP Council of Ministers of 14 December 2000 to admit Cuba as the 78th member of the ACP Group,
  - having regard to the resolution on the accession of Cuba to the new ACP-EU Agreement adopted by the ACP-EU Joint Parliamentary Assembly in Abuja in March 2000,
  - having regard to the European Parliament's resolutions on cooperation with Cuba,
- A. having regard to Cuba's admission to the ACP Group on 14 December 2000,
- B. whereas this makes Cuba the first member of the ACP Group which is not a signatory to the cooperation agreement with the European Union,
- C. whereas Cuba was a candidate for signature of the Cotonou Agreement and whereas its candidacy was supported by the ACP-EU Joint Assembly in March 2000 in Abuja and by the ACP Council of Ministers on 1 February 2000,
- D. regretting that this candidacy was subsequently withdrawn because of reservations on the part of certain Community decision-makers and members of the governments of Member States of the Union,
- E. whereas Cuba intends to resubmit its request to sign the Cotonou Agreement provided that its case is treated in accordance with exactly the same conditions as have been applied to other ACP States which are signatories to the agreement,
- F. in the conviction that Cuba's inclusion in the partnership provided for by the Cotonou Agreement will greatly help to alleviate the disastrous economic and social impact of the embargo imposed by the United States, which has on several occasions been condemned by the European Union and the international community as a whole,
- G. whereas Cuba's full accession to the ACP-EU partnership can only promote the necessary economic and political opening-up that country,
1. Welcomes the unanimous decision of the ACP Council of Ministers to grant Cuba the status of a full member of the ACP Group;
2. Considers that the participation of members of the Cuban Parliament as full members of the ACP-EU Joint Parliamentary Assembly and Cuba's signature of the Cotonou Agreement follow logically from this decision, and supports any request by Cuba for accession to the agreement;
3. Considers that, if Cuba applies for membership of the Cotonou partnership agreement, it should, like all current members, comply with all the objectives and principles laid down by the Cotonou partnership agreement;
4. Calls on the ACP-EU Council of Ministers and the Commission to clarify the situation by deciding in favour of opening negotiations immediately with the aim of enabling Cuba to sign the instruments binding the ACP community to the European Union, to join it and thus to engage in the cooperation procedures provided for in the Cotonou Agreement;
5. Reiterates its request that the Commission prepare to open a delegation in Cuba in the near future;
6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Government of Cuba.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

**RESOLUTION<sup>(1)</sup>****on the situation in Fiji and the Solomon Islands**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Libreville (Gabon) from 19 to 22 March 2001,
  - having regard to its previous resolutions on the Pacific region, particularly the situation in Fiji and the Solomon Islands,
  - having regard to the Communication from the Commission to the Council of 24 July 2000 on the opening of consultations with the Republic of Fiji Islands under Article 366a of the Lomé Conventions,
  - recalling the Declaration by the EU Presidency on the Solomon Islands on 6 June 2000,
  - recalling the World Economic Forum Asia-Pacific meeting in Melbourne between 11 and 13 September 2000,
  - recalling the United Nations Security Council resolution 1318 of 11 September 2000 giving equal priority to the maintenance of international peace and security in every region of the world,
- A. whereas Fiji and the Solomon Islands are experiencing ethnic tension,
- B. whereas continued uncertainty over the democratic future and social and political stability in Fiji and the Solomon Islands is leading to increased unemployment and poverty in these countries,
- C. whereas a new wave of Indian Fijians has emigrated since the May coup,
- D. concerned about the political crisis in Fiji after the civilian hostage-taking of Cabinet Ministers and other Members of the Fiji Parliament, which led to the dissolution of Parliament, the abrogation of the 1997 Constitution, the removal of the democratically elected Government and the stepping down of the President of the Republic,
- E. acknowledges that tensions exist between the two major ethnic groups in Fiji which has led to major Indo-Fijian parties refusing to participate in the Interim Administration,
- F. acknowledging the important role played by the Forum of Ministers of Foreign Affairs meeting in Apia, Samoa in seeking to find resolution to the crises in Fiji and the Solomon Islands, and to develop principles and options for regional engagement at times of crises in member countries,
- G. whereas on 15 November 2000, the Fijian High Court ruled that suspending the previous constitution, which upheld minority rights, was illegal,
- H. concerned about the safety of Chandrika Prasad, the Indo-Fijian farmer who has taken the interim Government to court, and hundreds of other Indo-Fijians, because of recent threats by coup supporters,
- I. whereas the interim Government appealed against the ruling by the Fijian High Court that it must hand back power to the previously-elected government,
- J. whereas the Court of Appeal has ruled on 1 March 2001 that the 1997 Constitution was not abrogated and still remains the supreme law of Fiji,
- K. believing therefore that the country's interim Government was illegal,
- L. whereas the outcome of the Court judgement will have long-term and far-reaching repercussions, in the South Pacific and beyond, in signalling the importance of Government respect for the rule of law, human rights and the independence of the judiciary,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 22 March 2001 in Libreville (Gabon).

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- M. acknowledging the resolution of the Great Council of Chiefs to accept the declaration by the Court that the 1997 Constitution is still the supreme law of Fiji and has not been abrogated,
- N. noting that the acting President's appointment has now been confirmed in accordance with the 1997 Constitution,
- O. noting that, as a result of the Court's ruling, the interim Prime Minister and his administration resigned on 13 March 2001,
- P. noting that the dissolution of Parliament by the President on 15 March 2001 was in accordance with the Constitution, paving the way for new elections as dictated by the Constitution in August 2001,
- Q. acknowledging and supporting the initiative of the Pacific ACP Ministerial Fact-Finding Mission to the Solomon Islands and Fiji as an excellent model in inter-ACP cooperation in conflict resolution under the Cotonou Agreement,
- R. whereas the Solomon Islands also faced a coup in Guadalcanal on 5 June 2000, which led to the resignation of the democratically elected Prime Minister, the disarming of the police and the collapse of law and order,
- S. whereas on 30 June 2000 by 23 votes to 21, the Solomon Islands' Parliament democratically elected the opposition leader Mannasseh Sogavare as the new Prime Minister, and whereas Sogavare has undertaken to create national unity and reconciliation,
- T. drawing attention to the key role played by the ACP-EU Joint Parliamentary Assembly's mission to the Solomon Islands which included two MEPs and one ACP parliamentarian who mediated between the warring factions and helped reduce the level of tension,
- U. noting that, since independence from Britain in 1978, the Solomon Islands have tried to create a parliamentary system to bring together a country of over 1 000 islands and 70 different languages,
- V. whereas the conflict in the Solomon Islands between the Malaita Eagle Forces and Guadalcanal's Isatabu Freedom Movement is also rooted in ethnic tension,
- W. noting the progress of peace talks which started on 10 October 2000 in Townsville, Australia,

**On the Pacific Region in general**

1. Urges Pacific ACP States and the EU to continue to cooperate closely to promote and consolidate economic, political and social stability in the region;
2. Recognises that continued ethnic and political instability would seriously damage national and regional economies in the region;
3. Calls for those involved in hostage-taking and murders in the Pacific region to be brought to justice in accordance with the relevant laws of the countries concerned;
4. Supports the process of regional integration in trade and economic development being pursued by the 14 ACP Island States in the Pacific region;
5. Acknowledges and supports the positive steps taken by the Heads of Government in the South Pacific region to put in place a peace-building and conflict resolution mechanism that addresses the specific needs and conditions of the region;
6. Calls on the Commission to give positive consideration to funding requests from the six new ACP members from the region to provide technical assistance to them that would enhance their understanding of the Cotonou Agreement and its implications for them as partners;

**On the Fiji situation**

7. Strongly condemns the attempted coup by George Speight and the suspending of all democratic institutions, including the 1997 Constitution, the Government and Parliament in Fiji;
8. Strongly condemns the stirring up of ethnic tension and the destruction of mostly Fijian-Indian property, resulting in the displacement of hundreds of citizens;
9. Acknowledges that native land issues and economic inequality are at the heart of ethnic tension in Fiji and calls on the Commission to support initiatives of the government and other development partners in Fiji that will bring about a fair and equitable resolution to these problems and thereby engender lasting political stability for the citizens;
10. Considers that the Commission, the Council, EU Member States and ACP Member States should emphasise that any changes made by the unelected interim government to the process of restoring democracy should ideally be made within the existing 1997 Constitution;
11. Calls on the President and the relevant authorities of Fiji to ensure that free and fair elections are held in the shortest period of time, and that these elections are held under the 1997 Constitution;
12. Additionally calls on the President to ensure that all ethnic communities and other sectors of Fiji society are guaranteed their right to participate in the elections;
13. Urges the European Union institutions to delay consideration of the imposition of sanctions and given the positive conclusion of the consultation on Fiji, to allow instead the current positive political developments to evolve and review the situation periodically;
14. Urges the EU Institutions to continue their assistance to the non-state sectors in Fiji, which would especially involve humanitarian assistance, strengthening human rights institutions and civil society organisations, assisting in compilation of voting rolls, in addressing long-term grievances over compensation for land, rural development and the needs of ordinary people;
15. Acknowledges the appointment of a high level mediator to the Fiji Islands through the Commonwealth Secretariat and the wide consultation he has undertaken with representatives of all the political parties (including the deposed coalition government) the armed forces, the Interim Civilian administration, traditional and customary institutions, ethnic communities and civil society organisations, with the aim of reconciling the different positions;
16. Calls on the Commission to positively consider requests from Fiji that will enhance good governance and the maintenance of the rule of law in central government, as well as in local government;

**On the Solomon Islands situation**

17. Strongly condemns the attempted coup by the Malaita Eagle Forces in the Solomon Islands and the escalation in violence which left dozens of people dead and displaced more than 500 civilians;
18. Supports all efforts including those by Australia and New Zealand and the Prime Minister of the Solomon Islands, Mannasseh Sogavare, to create national unity and reconciliation, and in this regard welcomes the signing of the Townsville Peace Agreement on 18 October 2000 and of the Marau Peace Agreement on 7 February 2001 by the Malaita Eagle Forces and the Isatabu Freedom Movement;
19. Strongly condemns the attacks and threats against individuals and families of people working for peace, justice and human rights in the Solomon Islands and calls for the swift restoration of law and order;

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20. Calls on all parties involved in the constitutional and political crises to ensure the safety and human rights of all civilian population and for all sides in the Solomon Islands to respect the Townsville and Marau Peace Agreements;

21. Calls on the European Commission, the Member States of the European Union and the international community to favourably consider requests for humanitarian assistance and, in particular, support the delivery of basic and essential services such as education and health services in Solomon Islands, which are seriously affected by the severe economic hardships caused by the recent ethnic unrest;

22. Further calls on the European Commission, the Member States of the European Union, and the international community to continue assisting the Government of Solomon Islands and its civil society to rehabilitate and promote political, economic and social stability in the country;

23. Instructs the Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Secretary-Generals of the United Nations and the OAU and the Commonwealth Secretariat, and to the Governments of Fiji and the Solomon Islands.

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**RESOLUTION <sup>(1)</sup>****on means of access to global communication for ACP countries as a contribution to sustainable development, and the need for such access**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - having regard to the working document and accompanying statements on the general report on access to global communication for ACP countries as a contribution to sustainable development, and the need for such access, submitted at the session from 19 to 22 March 2001 in Libreville,
  - having regard to the report of the European Parliament on information and communication technologies (ICT) and developing countries of 30 May 2001 (A5-0191/2001),
  - having regard to the Commission communication on the information society and development: the role of the European Union <sup>(2)</sup>,
  - having regard to the Commission communication to the Council and the European Parliament on the European Community's development policy <sup>(3)</sup>,
  - having regard to the objectives defined by the Council of Ministers for Development Cooperation on 10 November 2000, geared to promoting market access, trade and the transfer of technology,
  - having regard to the reports and declarations of various international organisations and bodies, in particular:
    - the ECOSOC Ministerial Declaration of July 2000,
    - the Millennium Declaration of the United Nations General Assembly of September 2000,
    - the G8 Okinawa Charter on global information society of 23 July 2000,
    - the subsequent reports of the Dot-Force (Digital Opportunity Task Force) set up by the G8, in particular its Genoa action plan,
    - the decisions of the African Development Forum of October 1999 on the development of a national information and communications infrastructure plan,
    - the New African Initiative adopted by the OAU in Lusaka in July 2001,
- A. whereas access to global communication, in particular to modern information and communications technologies (ICT), plays a decisive role in promoting sustainable economic and social development in the ACP countries and can make an important contribution to democratic opinion formation,
- B. mindful of the extremely inadequate provision of ICT infrastructure and facilities in most of the ACP countries and the poor performance combined with high user costs and high incidence of faults by comparison with industrialised countries, which currently allows access to global communication only for a few favoured sections of the population,
- C. whereas a large part of the population, particularly in rural areas of Africa, has no access to telecommunications facilities within easy travelling distance and the city of New York, for example, has more telephones than the whole of Africa, and consequently e-development strategies must be geared above all to basic provision of information facilities, and cognisant of the need of ACP countries to be integrated in the world economy and of the role ICT can play in this regard, bearing in mind the importance attributed by African Heads of State and Governments to ICT and the recognition in the New African Initiative that information and communications technology is one of the top priority sectors in the strategy for achieving sustainable development in the 21st century,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

<sup>(2)</sup> COM(97) 351 final.

<sup>(3)</sup> COM(2000) 212 final.

- D. bearing in mind the digital gulf between industrialised countries and the ACP countries, which is threatening to widen further the development gap and thus pose a long-term obstacle to the desired access to global communication, and whereas it is widely acknowledged that the information society can be a powerful enabler of development goals and can play a significant role in promoting domestic development and contributing to regional economic exchanges and integration,
- E. mindful of the provisions of Articles 23 and 43 of the Cotonou Agreement, which underline the importance of ICT and of active participation in the information society for the integration of the ACP countries into the world economy, and bearing in mind the provisions of the Cotonou Agreement in which the Parties agree to step up co-operation between them in the area of information and communication technologies and the Information Society,
- F. regretting that no clarification has yet been found in the WTO negotiations, particularly with regard to the conflict of interests between the USA, the EU and the developing countries, on the issue of whether audiovisual products should be covered by the GATT or GATS rules,
- G. mindful of the particular disadvantages facing small and remote island states in the Pacific, where ICT can make it possible for them to participate in the economic and cultural information flow but whose market is too small to be profitable, and bearing in mind the comparable problems in the Caribbean region and the Indian Ocean,
- H. whereas general access to ICT can reduce economic and social disadvantages and compensate for the disadvantages arising from remoteness, in particular in rural and outlying areas,
- I. stressing that access to global communication is not only a task linked to the formation of the ICT sector but also includes traditional media such as newspapers, radio and television, whereby radio is the most widespread means of communication,
- J. mindful of the importance of independent media in both traditional and new formats for democratic opinion formation and the involvement of civil society,
- K. concerned that freedom of the press and freedom of opinion are not guaranteed in many countries, and dozens of journalists die each year while exercising their profession,
- L. noting that the new possibilities of the ICT sector also contribute to diversity of opinions and pluralism,
- M. mindful of the need for a new world information order in which all cultures should be recognised on an equal footing, whereby cultural and media imperialism and confrontation can be reduced,
- N. whereas a one-way information highway from North to South would be detrimental to the preservation of the cultural identity of ACP countries and would give rise to an unhealthy degree of foreign influence owing to the lack of cultural, linguistic, social and traditional autonomy,
- O. mindful of the consequent need for the ACP countries to produce their own programmes with the aim of a world-wide cultural exchange which will provide a link between peoples and foster understanding for other civilisations, and whereas it has also been found that the Information Society can protect local cultures from alienation and build links between local communities,
- P. bearing in mind the national, regional and local differences with regard to the need for information, infrastructure, level of education and the situation of the private sector, which require a range of different solutions, and the importance of ICT in several fields including health and research, education, rural development and business development; whereas support and dialogue in the area of sustainable energy is a necessary component of ICT development cooperation;

- Q. mindful of the increasing interest among the population, in the age of globalisation, in local and regional programmes and their significance for social cohesion, and taking note of the role that telecentres, cybercafés and video clubs can play in providing access to information for communities in rural and remote areas,
- R. mindful of the encouraging results and success of a multitude of projects aimed at promoting connectivity (e.g. Increasing Internet Connectivity in Sub-Saharan Africa, African Virtual University, Peoplink, Pride Africa, Intelteach to the Future, Worldlinks for Development, Esanet and Fodonet), the comprehensive infrastructure projects planned (Rascom and Africa One), and the increasing supply of Internet services in Africa,
- S. pointing out that technical convergence is not the same as convergence as regards content and consequently a framework of rules is needed which is adapted to the various services with varying degrees of density, and whereas regulatory authorities need to be set up to ensure lasting protection for fair and equal conditions of competition,
- T. mindful of the high investment costs of introducing ICT, which are however counterbalanced by the significantly greater negative consequences arising from a failure to invest in this area, which cannot be resolved by state action alone, and taking into account the Declaration of African Ministers of Finance at the Joint Conference under the auspices of the UN Commission for Africa that information and communications technologies hold promise of enormous positive influence on their countries' economic and social development, their call for ICT development to be an integral part of the continent's national and regional development agenda and for their partners in development cooperation to treat ICT as a special priority for Africa's development,
- U. whereas competition needs to be allowed in the ICT sector in order to increase the density of connections through the use of private capital and improve the efficiency of telecommunication services so that they are accessible to as broad a public as possible at affordable prices, including in remote areas, and whereas, nevertheless, the market alone cannot solve everything and attention also needs to be paid to social benefits,
- V. convinced that a more rapid introduction of ICT can significantly improve opportunities for development and can assist with key concerns of EU development cooperation in areas such as the fight against poverty, health, education, training, the environment and the strengthening of the private sector,
- W. pointing out that the introduction of ICT makes it possible to offer a growing proportion of services, creating many new jobs, but that the high rate of illiteracy in many ACP countries poses an obstacle to progress which can only be met by education and capacity building for ICT,
- X. mindful of the need to promote literacy and technological skills and the opportunities this will bring for supporting local small businesses,
- Y. convinced that the extensive broad-based introduction of ICT can make public administrations more efficient and more open and speed up democratisation processes,
- Z. mindful of the need to coordinate EU projects with those of other donors, particularly the Member States and international institutions, and to create an 'e-development unit' within the EuropAid Cooperation Office for that purpose, which would support sectoral units in integrating ICT into the overall field of development,

#### **Globalisation demands global communications strategies**

- 1. Calls upon the EU, in close cooperation with ACP governments, to take the lead in formulating and implementing ICT policies that will work for the benefit of developing countries and the poor;

2. Is convinced that the dissemination of ICT can promote the process of public opinion formation and thus democracy and stresses in this connection the role played by freedom of the press and freedom of opinion, which must not be subject to any form of state influence, and supports in this context the drawing-up of a new world information order under the auspices of Unesco and with the participation of the ITU, which will take account of the transformation of the communications sector in the digital age;

3. Stresses the need to include traditional print and electronic mass media in the global communications strategy and above all to make use of radio as the main information medium in developing countries in education, information and health education campaigns, e.g. in the field of Aids prevention and as a supplement to school teaching where teaching materials and staff are in short supply, whereby for example cassettes containing teaching units are produced by educational bodies or health services and made available to radio stations;

4. Is convinced that ICT strategies in developing countries must place the social benefits and the general good at the forefront, alongside justified economic interests; stresses therefore that there is no alternative to the introduction of ICT as a contribution to satisfying basic human needs, since these modern technologies, thanks to their far-reaching practical and social benefits, can bring about a comprehensive solution to these problems, and underlines the vital need to make use of ICT with a view to world economic integration through the increasing share of ICT in value added and export, whilst stressing that knowledge of business practices in the industrialised countries can facilitate access to new markets;

5. Stresses that the extensive dissemination of ICT is an indispensable precondition for the integration of ACP countries into the world economy and draws attention to the possible increase in microeconomic and macroeconomic efficiency and competitiveness through the rationalisation of economic processes, the fall in the cost of transactions and the fine tuning of supply and demand, the targeted distribution of the goods produced and the provision of services in line with market conditions, which can also offer entirely new opportunities to local small businesses;

6. Stresses the advantages of a digital telenetwork by comparison with an analogue network; draws attention to the possibilities offered by mobile telephony and wireless transmission systems and recommends the use of a practical mixture of technologies to ensure the broadest possible cover for both the supplier and the user side;

#### **The general good must be at the forefront**

7. Considers it vital, in the interest of the broad dissemination and cultivation of regional cultures and traditions, to offer programmes and information with the corresponding content in the dominant languages or dialects in each case, given that it has been shown that this significantly increases the motivation of users and, consequently, the successes achieved in terms of use; stresses, therefore, the need to promote the production of content alongside the provision of technical ICT infrastructure;

8. Supports a regulatory framework specific to each country which, in the form of a graduated density of regulation, takes account not only of commercial interests but also of the public interest and concerns relating to the general good, and which makes a clear distinction between individual communication and mass communication and media-related services;

9. Stresses that account should be taken of national, regional and local circumstances when defining the objectives of ICT policy and their implementation owing to the wide differences as regards infrastructure, education and the importance of the private sector;

10. Notes that differing technical standards for telecommunications services pose unnecessary obstacles to transregional communication and that they should therefore be simplified; recommends, consequently, that uniform standards for telecommunication services, e.g. mobile telephony systems, should be used at least within the ACP areas of Africa, the Caribbean and the Pacific, so that they are compatible with each other in practical communication rather than being technically fenced off from neighbouring areas; this would also be useful in terms of tourist and business travel between Europe and the ACP countries and the associated need for intercontinental communications;

11. Supports the drawing-up of studies to ascertain the specific local and regional need for ICT equipment and the issuing of tenders for the corresponding provision of equipment; draws attention to the revealing results of the Bipe study carried out for the Commission as regards sub-Saharan Africa;
12. Draws attention to the manifold possibilities emerging from the Rascom Foundation projects as regards linking African countries to the Intel satellite and urges that work be completed speedily;
13. Supports the creation of advantageous framework conditions and a favourable legal, fiscal and financial environment as a basic condition for investment (investment protection and guarantee as regards the transfer of profits), as well as imports of equipment (tariff advantages) and incentives for indigenous production sites;

#### **Strategies for funding**

14. Takes the view, in the light of the significant need for funding which generally exceeds state resources, that the state should encourage private sector participation in the ICT sector and promote competition in order to foster the free development of the media and communications sector and speed up the growth in infrastructure in the sector through investment using private capital from home and abroad, making efficient management and lower user costs possible, which is fully compatible with conditions as regards social cohesion and is compatible with the cultural needs of the society;
15. Supports, further, in view of the significant long-term need for external funding to build up technical infrastructure and in the light of the funding required for consultation and training for the necessary staff, a contribution from additional resources of the European Development Fund, to which the EIB should also make an appropriate contribution;
16. Considers it appropriate to provide resources for knock-on financing from public money, together with subsidies for services with high social benefits, in order to build up infrastructure with the goal of free and affordable access to information;
17. Calls upon ACP countries and the EU to consider in the 9<sup>th</sup> EDF National Indicative Programmes how ICT can be instrumental in achieving their social and economic objectives, particularly in the fields of health, education, e-government and civil society participation, as well as in telecom regulatory capacity building;
18. Calls upon the ACP countries and the EU to consider in the 9<sup>th</sup> EDF Regional Indicative Programmes how ICT can be instrumental in achieving their social and economic objectives, in particular the contribution of the telecom sector and e-commerce towards economic integration at the regional level;
19. Points out that benefits for consumers and the economic proceeds and self-financing ratio for operators rise with the growing spread of ICT facilities, with the result that costs for consumers can fall by a corresponding amount, and therefore supports the greatest possible density of connections;
20. Highlights the significant growth in tax revenue from profits made by undertakings in the ICT sector in parallel with the increase in connection density in the medium term, with the result that in the end all those involved will profit from that growth;
21. Points in particular to the increasing source of revenue from the issuing of licences in the mobile telephony sector and recommends that these resources be used to improve and expand the technical telecommunications infrastructure, including social flanking measures;
22. Takes the view that independent regulatory authorities should be set up with the task of implementing the political objectives, monitoring compliance with licensing conditions, guaranteeing free and fair competition between operators, defending the interests of consumers and preventing market dominance on a lasting basis;



**ICT as a means to combat poverty and promote participation**

23. Points out that, in many cases, poverty stems from the inadequate mastery of cultivation techniques, inadequate business structures and ignorance of civil rights, and therefore stresses the manifold possibilities for using ICT to eradicate the causes of poverty, for example by providing information on entitlements vis-à-vis the state or local authorities, potential sources of earnings or access to loans;

24. Calls emphatically for access to ICT to be opened up to as broad a public as possible, in addition to various business communities, so that no new gap between the information rich and information poor develops within the ACP countries but, on the contrary, special programmes are set up for poorer sections of the population and remote areas, which can also serve to strengthen local economic structures; calls on the EU and the ACP governments to take initiatives at the international level to work towards the goal of making 'the right to information' a reality;

25. Believes that ICT can make a positive contribution to job-prospects for developing countries, including the possibility of attracting service sector employment, which is currently concentrated in the industrialised countries;

26. Welcomes the multitude of local, regional and national ICT initiatives, which make a significant contribution to the spread of knowledge, diversity of opinions and pluralism and should therefore be supported in large numbers, and considers that the linking-up of universities and educational institutions, both among themselves and in the international context, offers a great opportunity for further intellectual and scientific development in the ACP countries;

27. Supports the building-up of a core of experts to instruct the population in the use of ICT facilities; stresses the great attractiveness of this branch of the economy and the diverse and promising employment and promotion possibilities for people with qualified technical and non-technical skills, and draws particular attention to the need to counter the tendency for such persons to emigrate, by means of offering attractive working conditions;

28. Stresses the need for a minimum mass of literacy in order to handle ICT and calls on those responsible to guarantee schooling for all sections of the population, in particular for girls, and to offer more literacy courses for adults, in particular for women; draws attention to the possibility of voice-based input to transfer information via the Internet, which can partially compensate for weaknesses in reading and writing skills;

29. Points to the rise in the social status of women, who are showing great skill as operators of local telecommunications services and have in many places seized the opportunity of economically profitable training and further training in the ICT sector, partly on the basis of micro-credits, and therefore expresses support for ICT programmes which are specifically targeted at improving economic opportunities for women;

30. Draws attention to the manifold possibilities of ICT in the area of education and training, where it is possible to provide distance teaching and hold on-line tests without always having teachers and examiners on the ground and access can be provided to the databases of universities and research centres for the purposes of both exchanging opinions with individual scientists and participating in (telephone or video) conferences;

31. Appeals to the institutions of the ACP countries and the EU and to European donors to ensure that no information elites are formed in the ACP countries in the long term, whose activities would not offer any broad social benefits, but instead to ensure that public facilities such as telecentres and information kiosks bring social and economic benefits to all sections of the population, and calls on those who already have access to ICT services to place them also at the service of the general public;

**Universal access as a means of preventing marginalisation**

32. Calls for at least one public coin-operated telephone to be installed in every village and settlement to meet the basic information needs of the population; at least a telecentre with a telephone and fax service and, if possible, Internet access should be provided in larger settlements; stresses the need in this connection for a steady supply of electricity, also using renewable energies, in particular solar energy;

33. Notes that, in view of the large distances and frequently little-developed transport infrastructure in ACP countries, ICT is exceptionally well-suited to overcoming these obstacles, for example not only in data transmission but also in public transport management, rail, road, air and sea transport, where safety, cost-effectiveness and environmental performance can be improved significantly;

34. Stresses the fact that ICT makes it possible to overcome distance and time in the context of the relocation of jobs and exploiting locational advantages and gaps in the market, whereby regional ties in the various ACP regions offer themselves as joint planning areas, not least in order to make use of comparative advantages;

35. Highlights the greater reliability and speed with which data can be transmitted to areas which are difficult to reach with traditional means of communication and transport, requiring major and time-consuming logistical efforts, which is a particular advantage in terms of situation-specific pricing and marketing;

36. Highlights the possibilities offered by ICT as regards ensuring extensive market transparency and thus making it possible for all farmers, business people, industrial and trade undertakings and the tourism sector and other firms to gain access to more advantageous business opportunities and market their products efficiently on the basis of up-to-date information on markets, prices and marketing conditions; refers in this connection to the Internet trade platform opened in Mali and the associated business opportunities, for example, and to the possibility offered by 'Peoplink' for craftsmen to market their work directly;

37. Draws attention to the outstanding suitability of ICT in the field of health, for example in curbing epidemics, but also for the purposes of distance diagnosis and advice in individual cases through the transmission of data and pictures, links with laboratories and x-ray units, etc., as well as the logistical advantages for rescue services, and recommends the further development of the existing 'Healthnet', which can also create links to research and to doctors practising in industrialised countries, thereby providing information to the public on appropriate treatment methods; welcomes the successful UN project 'Health-Internet Network', for which on-line sites are being set up in hospitals and public health facilities;

#### **ICT as a means for reinforcing local economies and protecting the environment**

38. Highlights the manifold possibilities for using ICT in the field of the environment with regard to measurement, analysis, data transmission and information on harmful and/or dangerous changes in the environment; stresses the significant contribution which ICT can make towards the efficient use of resources, in particular in the vital field of efficient water management; points out that ICT makes rapid access possible to the latest international technological developments in the field of the environment;

39. Points to the manifold possibilities for using ICT in the area of agriculture, by means of constantly updated information and methods as regards control and measurement techniques for the optimisation of individual processes such as sowing, irrigation, pest control, harvesting, storage and prospecting for underground water-supplies;

40. Stresses the importance of ICT for gathering meteorological data which can make it possible to issue early warnings of natural disasters, take preventive action and launch immediate rescue missions;

41. Draws attention to the strengthening of civil society through a more intensive flow of information and more active participation in questions concerning the community as well as the improvement in the quality of life arising from diverse communication possibilities over long distances;

42. Underlines the importance of ICT for the construction and maintenance of networks and self-help groups which are in a position to close a large number of gaps in provision and bring about a lasting strengthening of social cohesion, particularly in emergencies;

#### **ICT as a means for empowering civil society and reinforcing good governance**

43. Recommends that telecentres and cybercafés be set up, offering a wide public in all settlement areas modern ICT services in exchange for payment in order to cover their diverse information and communication needs; recommends that they also be set up in buildings accessible to the public such as administrations, schools, hospitals, etc., whose existing infrastructure can also be used for ICT purposes, whereby wireless systems might also be used, making it unnecessary to convert buildings by laying cables;

44. Emphasises the great advantages of ICT for e-government and good governance, making efficient administration possible over long distances without the barriers of time, space and transport problems, with government and administrative centres being able to communicate both among themselves and with citizens on-line and, where appropriate, interactively;

45. Considers that the use of ICT offers major advantages in coordinating decentralised administration structures from a central location and considers that it can be successfully used for regional cooperation measures and planning procedures, for example road building and regional planning;

46. Considers that the possibility of linking local and regional offices with central bodies and government offices provides a sound basis for practising good governance in the sense of transparency and internal and external scrutiny in interactive contact with citizens and civil society groupings;

47. Considers it necessary to practise e-government through close contacts with individual citizens and also with civil society groupings, diverse public and private bodies, educational institutes and businesses of all sizes in order to arrive at joint development strategies and also identify and remedy problems;

48. Supports an approach addressed both to political and administrative decision-makers and to business communities, investors, operators and civil society groupings with a view to encouraging openness and interest in new technical possibilities for a range of uses, gathering suggestions for implementation and promoting the installation of appropriate ICT facilities;

49. Notes that a policy of greater transparency can play a part in detecting human rights violations, corruption and mismanagement and uncovering socially harmful behaviour such as criminal offences so that the authorities can intervene where necessary;

50. Points out that the simplification of bookkeeping and administrative procedures and methods of dealing with cash receipts and expenditure, for example in the collection of taxes and fees, can lead to significantly reduced costs and thus make an effective contribution to responsible budgetary management;

51. Stresses the need for the protection of intellectual property and notes that audiovisual services are markedly different from other services to the extent that they are a medium for the expression of cultural diversity; takes the view that the GATS rules on cultural services, in particular in the audio-visual sector, should not jeopardise the cultural diversity and autonomy of the WTO contracting parties; calls for developing countries, in particular LDCs, to be allowed the corresponding support under Article IV of GATS, expects the Commission to adopt this position and to take the initiative in upholding it at the Ministerial Conference in Doha, Qatar;

52. Takes the view that awareness of the long-term development potential of ICT needs to be strengthened both in the ACP countries and among donors, in particular the Member State governments, international institutions and the major development aid organisations, as well as in various business communities and civil society, and that the undeniable advantages for the individual and for the economy and society should be highlighted;

#### **E-development as a task for the ACP-EU partnership**

53. Calls on all those responsible in politics, the economy and society to take part in the drafting and implementation of a comprehensive concept on the introduction and diffusion of ICT, with quantitative targets and deadlines; supports, therefore, the inclusion of e-development in the country strategy papers;

54. Recommends to the Commission that it regularly include the topic of ICT diffusion in the political dialogue with those responsible in the ACP countries and with representatives of donor countries, international organisations and NGOs and that it make use of the advisory function of the ITU;



55. Calls on the Commission to submit a comprehensive e-development strategy plan geared to the many practical applications in all social and economic areas, which should take account of the recommendations and demands made in this resolution;

56. Underlines the need to coordinate EU projects with those of other donors, particularly the Member States and international institutions, and to create an 'e-development unit' within the EuropAid Cooperation Office for that purpose, which would support sectoral units in integrating ICT into the overall field of development cooperation;

57. Considers it necessary for the Commission to take on the role of coordinating programmes and projects vis-à-vis the Member States and also coordinate EU policy in this area with other donors, in particular international development organisations;

58. Calls on the Commission to increase the quality and quantity of the ICT portfolio within the provisions of ACP-EU cooperation as well as the communication on development policy<sup>(1)</sup>, for instance in regard to regional integration, trade, health, education, food security and sustainable rural development strategies, environment and institutional capacity building, preferably by replacing the priority 'Transport' with 'Communication, transport and sustainable energy', as well as through effective mainstreaming;

59. Notes that it is the task of the governments of the ACP countries to create the political and legal conditions for the successful introduction and diffusion of ICT, but that it is the task of the Commission to ensure the necessary support and advice within the framework of the Cotonou agreement;

#### **ICT as a future task for the ACP-EU Joint Parliamentary Assembly**

60. Considers it necessary for the Commission and the European Parliament, with a view to the World Summit on the Information Society in 2003 in Geneva and in 2005 in Tunis, to organise conferences and seminars to discuss practical concepts and successful projects and to hold regional preparatory meetings prior to the summit, a process which should also be followed constructively by the ACP-EU Assembly;

61. Calls upon the ACP and the EU to consider an all-ACP programme similar to those financed by the EU for Asia, the Mediterranean and Latin America, with view to generating an accelerated use of ICT for the economic and social advancement of ACP countries;

62. Calls upon the European Community to implement a programme devoted to the development of ICT in ACP countries to include in particular the legal and regulatory frameworks, the development of infrastructures and standards, the establishment of systems and mechanisms to enable rural and remote communities to have access to information for education, health, business and other uses;

63. Invites the Co-Presidents of the Joint Parliamentary Assembly to organise, on the occasion of the next meeting of the Joint Parliamentary Assembly, a workshop on the role of national parliaments in ICT regulatory issues and e-democracy.

64. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN, the UNDP, UNESCO, the WTO, the ITU and the World Bank.

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<sup>(1)</sup> COM(2000) 0212.

**RESOLUTION <sup>(1)</sup>****on the impact of sanctions and, in particular, of embargoes on the people of the countries on which such measures are imposed**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - having regard to the ACP-EU Partnership Agreement (Cotonou Agreement), in particular paragraphs 8, 9 and 96, and to Chapter VII, articles 39, 40 and 41 of the UN Charter,
  - meeting in Brussels from 29 October to 1 November 2001,
  - having regard to the report by the Working Group on the impact of sanctions and, in particular, of embargoes on the people of the countries on which such measures are imposed,
  - having considered the impact of sanctions on Angola, Burundi, Cuba, Fiji, Nigeria, Rwanda, South Africa, Sudan and the Federal Republic of Yugoslavia,
- A. whereas the use of sanctions as means to put pressure on political regimes responsible for serious violations of human rights and international law has greatly increased over the last decade,
- B. whereas the UN Charter provides for sanctions under certain circumstances and whereas the Cotonou Agreement sets out a consultation procedure which includes the imposition of appropriate measures, including sanctions, against any of the parties thereto,
- C. whereas this development does not mean that these measures have always proven successful but, rather, that they have become an easy option in the arsenal of actions available to the imposing nations,
- D. whereas it is often the case that the populations of the countries on which such measures have been imposed have been seriously affected in humanitarian terms while the regimes against which they were originally aimed often remained largely unaffected,
- E. whereas most countries on which sanctions have been imposed have been developing countries, including ACP countries, whose populations were already living under precarious conditions and thus particularly vulnerable to the adverse effects of such measures,
- F. whereas developing countries generally lack the political and economic power to effectively impose and enforce sanctions which makes these measures, in practice, a one-way political tool available to powerful nations,
- G. whereas in exceptional cases a country against which sanctions have been imposed may possess the means and the political will to impose counter-sanctions, especially against neighbouring states,
- H. whereas the efficiency of sanctions is enhanced by the extent of internal support for them, in the country under sanctions,
- I. whereas the unilateral imposition of sanctions in the main lacks both legitimacy and legality because it does not respect the decision-making procedures with which the international community has provided itself in accordance with the law,

1. Notes the continuing and relatively frequent use of sanctions as an instrument of policy;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

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2. Points out that, whilst the overt reason for imposing sanctions is normally to bring about a change of regime in a particular country, or at least a major change in the policy of that country's government, their imposition may also serve simply as an expression of moral condemnation;
3. Takes cognisance of the fact that sanctions are almost always imposed by strong and rich countries on weak and poor ones;
4. Deplores that the populations of countries on which sanctions have been imposed have often suffered unacceptable humanitarian hardships as an unintended consequence and that those in power do not suffer and may even find their position strengthened;
5. Underlines the fact that the humanitarian impact on the population includes psychological as well as physical damage;
6. Notes moreover that sanctions imposed to help the population and hurt the government may, in certain circumstances, have completely the opposite effect and may create an attitudinal change in the general populace instead of a change in the targeted leadership;
7. Notes that the effect of sanctions on the population can result in the development of creative alternatives to circumvent them, as when:
  - the political and economic elites control illegal imports and the black market, thereby strengthening their political and economic power, with an attendant rise in criminality,
  - the establishment of a black market seriously distorts the country's economic structure, with persistent effects over a very long period;
8. Stresses the difficulties involved in assessing the impact of sanctions, including:
  - distinguishing the impact of economic sanctions in a country where there is already an economic crisis,
  - discerning the adverse effects of sanctions from that of punitive measures taken by a government against the population,
  - separating the humanitarian impact from other political, economic and social circumstances,
  - discerning the effects of sanctions on the population of a country during a civil war,
  - lack of clarity in their avowed purpose,
  - poor enforcement, or at least difficulty in assessing the efficacy of enforcement;
9. Considers that many of these difficulties are also weaknesses in any policy of sanctions, in that:
  - a lack of stated clear objectives makes it difficult to determine when sanctions should be ended/abandoned,
  - the regime against which they are directed may be strengthened rather than weakened
  - the general population may be affected rather than the government;
10. Believes, therefore, that it is impossible to lay down hard and fast rules on what sort of sanctions ought to be applied;
11. Stresses that any sanctions policy must be carefully tailored to take into account the specific situation of the country targeted;

12. Believes that the above-mentioned difficulties are so significant as to create a presumption against any use of general economic sanctions;

13. Takes the view that, even in those cases where sanctions are justified, an exemption should be made for humanitarian aid including the provision of health equipment, educational material and agricultural inputs which, wherever possible, should not be distributed by the regime against which sanctions are directed;

14. Notes that, depending on the specific country case, different sanctions, for example, a decision to suspend purchases of oil from a country which derives a substantial part of its revenue from oil sales; a sports boycott against the participation of players in international events; travel restrictions against high officials and members of their families, or curtailing the purchase of diamonds from mineral-producing countries, may bring about varying results;

15. Believes that, where sanctions are nevertheless to be used, they must be closely targeted on political leaders, focus on specific areas where they can have an impact on those leaders of regimes which it has been decided to sanction (financial assets, travel bans), be accepted by a sufficiently large number of states to indicate that they are likely to be applied, be carefully monitored and enforced, preferably by an independent body specifically created for that purpose, and contain clear conditions as to under which circumstances they should be lifted;

16. Considers that the following types of specific sanction, in particular, should be developed and refined, including mechanisms for their enforcement:

- arms embargoes, covering all spare parts and material, as well as effective, internationally coordinated monitoring of producers, suppliers and intermediaries, including more rigorous procedures for the issuing and verification of end-user certificates,
- financial operations including blockage of movement of funds, freezing or seizure of bank accounts directly or indirectly owned or controlled by the targeted group, as well as technical and legal advice to implementing nations, institutions and companies,
- travel restrictions on leaders, families and supporters of the targeted country or movement and, in some cases, on visitors to the country or area, except for humanitarian or health reasons previously diagnosed,
- control of export or import of specific strategically important commodities and products,
- development of international humanitarian law enabling the prosecution of political leaders responsible for human rights violations in any third country;
- provision for punitive measures to be taken against companies and individuals which evade legitimately imposed sanctions;
- restrictions on access to communications networks, including telecommunications and the Internet;

17. Points out that sanctions imposed on one country may have collateral effects within third countries, the effects of which must be assessed and counterbalanced in order to prevent the sanction becoming unjust vis-à-vis such countries;

18. Considers that sanctions that have the support of people in the targeted country and/or are linked to domestic struggles for justice, human rights and democracy, have a much greater chance of succeeding than those that are purely in the interest of sanction-imposing states;

19. Believes that sanctions imposed under the authority of the United Nations have greater legitimacy and are likely to be more effective, because of the imprimatur of the international community, in addition to providing better legal recourse against sanctions-busters;

20. Considers that the practice of naming and shaming countries or companies that violate sanctions can serve as a deterrent to sanctions-busting;

21. Considers that sanctions are only likely to be effective if applied as part of a wider process of international pressure against a regime;
22. Condemns in general the unilateral imposition of sanctions, in particular in cases where the sanction takes the form of an extraterritorial application of an internal law;
23. Notes that while the imposition of sanctions may result in 'counter-sanctions' being imposed, sanctions against a country could bring about positive political change at the regional level, or within a neighbouring state;
24. Despite noted difficulties of assessing the humanitarian impact of sanctions, welcomes the efforts made to develop a methodology to do so, which should be applied before imposing sanctions;
25. Stresses that, where a country against which sanctions have been applied has removed the conditions that gave rise to the sanctions in the first place, the international community ought to assist in rebuilding the country concerned;
26. Instructs its Co-Presidents to forward this resolution to the European Commission, the ACP-EU Council, the Organisation of African Unity (OAU), the Interparliamentary Union (IPU) and the UN Secretary-General.

#### RESOLUTION <sup>(1)</sup>

##### on the use of renewable energy sources in the ACP States

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
- having regard to Title VII — energy development — of the Lomé IV Convention, where the European Community and the ACP States recognise the mutual benefits of cooperation on energy and identify increased use of alternative, new and renewable energy sources as one of the main objectives of energy development,
- having regard to the new Partnership Agreement between the ACP States and the European Community and its Member States, and in particular Article 32(2) thereof, where both sides agree on cooperation aimed at supporting specific measures and schemes addressing sustainable management issues, such as renewable energy sources especially different forms of solar energy and energy efficiency,
- having regard to Article 57 of the new Partnership Agreement, where the responsibilities are established for defining and adopting the objectives and priorities on which the indicative programmes are based,
- having regard to its resolution on climate change and small island developing states against the background of ACP-EU cooperation <sup>(2)</sup>,
- having regard to its interim resolution of 23 March 2000 on the use of renewable energy sources in ACP States (ACP-EU 2885/fin) <sup>(3)</sup>,
- having regard to the report of its working group on the use of renewable energy sources in ACP States (ACP-EU 3057/B/fin),

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

<sup>(2)</sup> OJ C 271, 24.9.1999, p. 30.

<sup>(3)</sup> OJ C 263, 13.9.2000, p. 22.

- A. whereas primary energy demand in ACP and other developing countries is projected to increase from 2 513 Mtoe in 1990 to c. 7 319 Mtoe in 2020, in particular due to rapid population growth (2,6 % annually in Africa from 1990 to 2010),
- B. whereas two-thirds of the population in Africa live in rural areas without access to modern energy services, fuels and the electricity grid,
- C. whereas in 1990 only 8 % of rural people and 38 % of urban dwellers in sub-Saharan Africa had electricity connections,
- D. whereas small island ACP States are heavily dependent on imported fossil fuels for the majority of their rapidly growing energy needs for transport and electricity production, and on inefficient biomass for their non-commercial energy consumption,
- E. whereas petroleum is imported in the small island ACP States at some of the highest prices in the world, for example 200-300 % of international levels in the Pacific region,
- F. whereas, so far, energy and energy services have not been sufficiently integrated as a horizontal key element in programmes aimed at reducing poverty,
- G. whereas sub-Saharan Africa has enormous diverse renewable energy resources which remain largely unexploited so far, whereas many small island ACP States have abundant resources of alternative renewable energies, such as wind and solar energy,
- H. whereas, in particular, Africa's hydropower resources offer large opportunities for increasing sustainable energy supply through regional cooperation (power trade and building up of transnational electricity interconnections),
- I. whereas there has been significant development of alternative energy technologies over the last decade, both in terms of performance and cost reduction, but public funding and support remain imperative,
- J. whereas modern renewable energy technologies can be price-efficient and competitive with conventional energy sources in a favourable legal and regulatory environment,
- K. whereas the largest potential for meeting the energy needs of the poor in rural areas with the least possible environmental impact lies in new renewable energy technologies,
- L. whereas the traditional use of biomass (fuelwood) for cooking in rural areas of ACP States is often inefficient, and leads to health problems and environmental damage,
- M. whereas experience from projects in various ACP States (Sahel zone involving nine countries, Papua-New Guinea and South Africa) has shown that the existing products and equipment are now of a high technical standard, but that maintenance programmes with a view to sustainable use of new technologies for the use of renewable energies (RE technologies) should be a particular priority and that the infrastructure (distribution networks) needs financial and technical improvements,
- N. whereas energy has in general not been identified as a priority in the indicative programmes of ACP States and, whereas energy projects have played so far only a marginal role in the implementation of the seventh and eighth European Development Funds (EDF), in spite of the emphasis put on energy cooperation in the Lomé IV Convention,
- O. whereas targeting and promoting the transfer of know-how to the ACP States ultimately creates sustained, self-stimulating demand which is economically and ecologically decisive,

- P. whereas in this area the European Union should take on a role as a mediator between the European renewable-energy industry and potential partners in the ACP States which are ready and in a position to accept technological know-how,
- Q. whereas new national and regional indicative programmes will be elaborated under the new Partnership Agreement,
1. Stresses that ACP States face an extraordinary economic and political challenge to meet the growing demand for energy, and stresses that enormous investments in energy infrastructure and services and relevant training and information programmes will be needed;
  2. Stresses that energy must be considered as a cross-cutting issue with a high development potential, especially in view of poverty reduction, as the availability of energy and services is imperative for satisfying basic needs, such as access to food and potable water, household lighting and cooking, health services and education;
  3. Calls on the ACP States and the Commission to regard energy as an important instrument for development and calls therefore for the elaboration of a coherent and sound energy strategy in ACP States, based on the concept of sustainable provision of energy services, aimed at integrating the social and economic needs of users while minimising the environmental impact of energy use; calls in this context on the ACP States to define energy, including the promotion of the use of renewable energy sources, where appropriate, as a priority in the new indicative programmes, taking into account the possibilities of regional cooperation;
  4. Calls on the Commission to include sustainable energy supplies, in particular through energy efficiency and the use of renewable forms of energy, as a priority action field in its new development policy strategy;
  5. Calls on the Commission and the Member States of the EU to integrate the aspect of sustainable energy provision in all development and cooperation programmes and projects;
  6. Calls on the Commission and the EU Member States to promote sustainable energy provision with a view also to creating development partnerships with the business world (public-private partnerships);
  7. Stresses that satisfying energy needs is especially urgent in rural areas remote from the grid, and points out that the lack of economic and social prospects in rural areas is related to the lack of adequate energy supply, resulting in rapidly growing urbanisation;
  8. Stresses that the small-scale and modular nature of new and emerging renewable energy technologies, such as solar PV systems, small-scale off-grid wind turbines, mini- or micro-hydro systems or modern biomass-based generators, is often more appropriate to the level and structure of demand than conventional alternatives, particularly in rural areas;
  9. Points out that access to electrical energy is a basic precondition for access to information and communications technology and that renewable energy sources for generating electricity in rural areas can be of key importance in this respect;
  10. Stresses the differences, in terms of economy, climate and infrastructure, which necessitate a tailor-made approach for each country;
  11. Notes that increased use of renewable energy sources would reduce dependence on expensive imports of fossil fuels and help improve balances of payments; stresses that the implementation of systems of new and renewable energy technologies can have a significant positive impact on job creation and employment;



12. Stresses that the increasing use of renewable energies in the developing countries will play a major part in combating the global, man-made greenhouse effect since in 2010 emissions of CO<sub>2</sub> in those countries will probably be greater than in the industrialised countries, including Eastern Europe;
13. Emphasises the decisive role of science and technology and the need to devise know-how transfer strategies for the purpose of building indigenous capacity for development and maintenance of modern energy technologies in ACP States;
14. Stresses the need to improve the transfer of know-how by means of the direct promotion of skills (university and technical training, work experience in industry) carried out under mobility programmes;
15. Calls on the ACP States to examine the possibilities of overcoming existing obstacles to the use of renewable energy sources, such as the lack of an adequate legal, fiscal or regulatory framework, and the reasons for lack of private foreign investment;
16. Advocates a reduction in subsidies for conventional energy generation and in import duties on RE technology;
17. Advocates fiscal inducements to increase the market penetration of RE technology and energy-efficiency measures, in particular for locally produced technology;
18. Regards the inclusion of the private sector and attractive terms for foreign direct investments as essential, with a focus on the fight against corruption;
19. Calls on the African ACP States to work together, in particular for better exploitation of the vast hydropower resources, and to put in place stable and transparent government and utilities coordination for policy making and for implementation of regional energy cooperation; points out that, without regional cooperation, it will hardly be possible to attract investors for financing transnational infrastructure;
20. Calls on the Commission and the ACP States to encourage cooperation between businesses in the EU and the ACP States with a view to fostering more rapid dissemination of systems and technology in the field of renewable energy;
21. Welcomes the increasing attention paid to renewable energy sources in the civil services of the ACP States with the creation of special departments in ministries or the creation of separate agencies;
22. Calls for greater support for the ACP States in creating administrative capacity in the energy sector to give the authorities more reliable statistics, thereby improving the scope for planning and decision-making in developing their energy strategies;
23. Welcomes the Commission's decision to hold regional seminars on the use of renewable energies for the competent decision-making bodies in the ACP States to prepare the way for a substantial increase in projects concerned with sustainable energy supplies; in this context, welcomes the successful outcome of the Sustainable Energy Seminar for ACP Island States within the Framework of EC Development Cooperation, held on 26-27 June 2001 in Santo Domingo (Dominican Republic), and endorses its conclusions stressing the need:
  - (a) to work in an inter-disciplinary way, at the policy, programme and project levels, to ensure that the importance of the provision of energy services is reflected in all economic and social sectors;
  - (b) for capacity building at the level of national policy development and planning, including improved data on and analysis of energy use/needs, and the local private sector for the provision of energy services;
  - (c) for development of national energy policies which encourage energy efficiency practices and renewable energy use;



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- (d) for development of appropriate framework conditions for energy sector development and private sector investment (where appropriate market conditions exist), including a stable policy platform, and a transparent, participatory and equitable regulatory platform;
  - (e) to take advantage of regional complementarities to enhance joint learning and benefit from economies of scale;
24. Calls on the Commission and the ACP States to prepare a campaign for adequate information on the use of renewable energy sources in ACP States;
25. Calls on the Commission to examine the possibilities of creating new, appropriate finance mechanisms for renewable energy projects, in order to overcome the lack of financial resources for credit financing of the high up-front costs of renewable energy technologies; in this connection the creation of micro-credit systems or the provision of funding for training and development in the banking sector should be looked into;
26. Calls on the Commission and the Council to introduce binding environmental rules guiding grants-based assistance and activities within investment banks — such as the EIB — and national export credit agencies, so as to promote investments in sustainable energy and energy efficiency;
27. Welcomes the fact that the private financial sector is beginning to become involved in renewable energies in the developing countries;
28. Calls on the European Investment Bank to draw up innovative appropriate financial instruments for the support of small and medium-sized projects for renewable energy sources in ACP States in the framework of the EIB-managed part of the EDF;
29. Stresses the importance of the Global Environment Facility and the Clean Development Mechanism for the financing of RE projects in the ACP States;
30. Welcomes the international agreement to a set of decisions to speed up action on climate change as reached in the Bonn Conference on Climate Change (COP-6, part 2, 23 July 2001) by more than 180 countries, including Japan, Australia, Canada and Russia, but with the notable exception of the United States; this agreement is an important step towards the emergence of a global and multilateral decision-making process in response to climate change; in this context efforts to promote renewable energy as well as energy efficiency will be encouraged, notably through the CDM (Clean Development Mechanism);
31. Welcomes the conclusions of the G8 Renewable Energy Task Force, presented at the G8 Heads of Government Summit in Genoa (July 2001), emphasising that renewable energy — including on-and-off-grid renewable electricity and the more efficient use of biomass for heating and cooking as part of a balanced portfolio of energy solutions — can help facilitate sustainable development for large numbers of people living in developing countries;
32. Endorses, in particular the following recommendations from the G8 Task Force:
- taking steps to remove incentives and other supports for environmentally harmful energy technologies and developing mechanisms that address externalities, thus enabling renewable energy technologies to compete in the market on a fairer and more equal basis;
  - supporting access to RES by the rural poor through, for example, the strengthening of micro-finance organisations;
  - addressing energy issues, including renewables, in the context of the International Development Targets;
  - encouraging ODA, bilateral and multilateral agencies to explicitly consider RES for development projects;

- extending so-called sector arrangements for other energy lending to RES and developing and implementing common environmental guidelines among the Export Credit Agencies (ECAs);
- ensuring that RES are adequately considered as part of energy policy in assessing development priorities of countries participating in poverty-reduction programmes, and helping strengthen institutional capacity to support the development of comprehensive national renewable energy strategies;

33. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the European Investment Bank and the G8.

### RESOLUTION <sup>(1)</sup>

#### on the situation in West Africa

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - having regard to the African Charter on Human and Peoples' Rights, which was adopted by the OAU in Nairobi in June 1981 and entered into force in October 1986,
  - having regard to the Cotonou Agreement,
- A. concerned at the economic difficulties and persistent poverty within the region, worsened by the instability of prices of raw materials, in particular coffee, cocoa and cotton,
  - B. having regard to the continuing drought affecting the Sahel countries and the food insecurity and emergency situation in certain parts of the region, in particular in Niger,
  - C. whereas the African Union has launched a New African Initiative to stimulate economic growth continent-wide,
  - D. having regard to the region's progress towards economic and monetary integration, marked by the establishment of an external tariff common to all member countries of the WAEMU and the creation in January 2001 of the West African Monetary Institute, prefiguring the establishment of a single monetary area between the ECOWAS member states in 2004,
  - E. having regard to the states' commitment to resolutely combat terrorism in all its forms,
  - F. whereas an Action Plan for Africa was announced at the G8 Summit in Genoa, aimed at promoting investment, trade, public health, good governance and conflict prevention in Africa,
  - G. noting that democratic pluralism is making progress and becoming more firmly rooted in parts of West Africa: Benin, Cape Verde, Côte d'Ivoire, Gambia, Mauritania, Senegal,
  - H. considering independent electoral commissions to be an essential requirement,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

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- I. whereas the political crisis in the Mano River region can only be solved through a constructive dialogue between the parties concerned and having regard to the mobilisation of the women of that region in favour of the dialogue process,
  - J. whereas the fight against impunity is an essential means of ensuring that victims obtain justice, preparing the ground for reconciliation and establishing lasting peace,
  - K. having regard to the UN sanctions against Liberia because of the overwhelming evidence of its authorities' support for rebels in neighbouring countries: an arms embargo, a ban on the international sale of diamonds, and an embargo on senior Liberian officials travelling abroad,
  - L. having regard to the Liberian Government's commitment to complying with the decisions contained in UN Security Council Resolution 1343, in particular the expulsion of all members of the RUF and a ban on their activities within Liberia,
  - M. whereas the European Union has completed its consultations with Côte d'Ivoire and has decided gradually to resume its cooperation, having assessed the situation and concluded that the Ivorian authorities have respected their undertakings and have announced a process to restore the country's political and social stability,
  - N. having regard to the wish expressed by the President of the Togolese Republic to respect Article 59 of the constitution,
  - O. stressing the need to hold free and transparent elections in Togo, in accordance with the Lomé Agreement of 29 July 1999 and the Head of State's appeal in this connection on 11 and 24 October 2001, to the independent national commission and the whole political class,
  - P. having regard to the sentencing and imprisonment of Mr Agboyibo,
  - Q. concerned at the inter-community violence in Nigeria,
1. Welcomes the fact that economic and monetary integration is gaining momentum in West Africa, encourages political, economic and social regional cooperation within the framework of ECOWAS and WAEMU, and commends ECOWAS and the WAEMU for the work done to this end;
  2. Calls on the Commission to provide all necessary technical assistance to ECOWAS and WAEMU to promote the rapid establishment of all their institutions;
  3. Calls on the Commission to increase its emergency food aid, pursue its programme of support for the creation of cereal banks and the rehabilitation and creation of pastoral water points, and consider what support can be given to micro-dam projects as part of crop security measures;
  4. Supports the priorities set out by the New African Initiative, which recognises that economic growth depends, in particular, on transparent management of public affairs, the absence of conflicts, respect for human rights and massive investment in education and public health;
  5. Calls on the European Commission and the Member States to extend the scope of initiatives to reduce and cancel debts under the HIPC (Heavily Indebted Poor Countries) programme by actively supporting the policy of 'debt alleviation and development contracts', including specific and verifiable objectives to reallocate resources to sustainable growth sectors (public health and education);
  6. Calls on the Council and the G8 member states to specify the detailed arrangements for the Action Plan for Africa announced at the Genoa Summit, and stresses that the credibility of this initiative will depend on the amount of additional resources allocated;

7. Notes the sense of civic responsibility which the Presidents of Ghana, Cape Verde and Mali have shown by respecting their countries' constitutions, which limit the number of consecutive presidential terms of office to two, but deplores the intention expressed in other countries of changing this constitutional rule;
8. Welcomes the fact that the Ivorian authorities have respected their undertakings to restore lasting peace in the country and calls on the political class to show its keen sense of the national interest to create a climate propitious to genuine reconciliation, the objective of the current forum;
9. Invites all the parties concerned in Togo to show discernment and encourage measures to calm the situation;
10. Calls on the independent national electoral commission (CENI) and the Togolese authorities to hold, as soon as possible, a free and transparent general election, in accordance with the Lomé framework agreement signed by the opposition parties and the President's coalition of supporters in July 1999 and to allow all those who wish to take part to do so;
11. Calls on the Togolese authorities to strengthen respect for human rights and promote the rule of law with a view to accelerating normalisation of cooperation relations between Togo and the European Union;
12. Calls for Mr Agboyibo to be released and granted an amnesty so as to recover all his civic rights;
13. Calls on the Togolese judicial authorities, in a conciliatory spirit, to speed up proceedings in order to reach a final decision on the Agboyibo case;
14. Welcomes the release of Alpha Condé, who has been able to resume his seat as a member of parliament;
15. Expresses its satisfaction at the progress made in the dialogue between the three Mano River Union countries; welcomes the agreements concluded and their decision to undertake joint action against the groups involved in the events destabilising the region and to reopen and monitor their joint frontiers together;
16. Encourages the efforts of ECOWAS towards a lasting and final settlement of the crisis in the Mano River Union region;
17. Deplores the disaster of enormous human suffering caused by continued armed conflicts in these countries;
18. Welcomes the continued progress in the peace process in Sierra Leone since the signing of the ceasefire agreement, particularly in the disarmament, demobilisation and reintegration programme, the release of child soldiers and abductees by the armed groups and the deployment of UNAMSIL eastward, including the diamond-producing areas, and strongly hopes that this process will continue;
19. Calls on the EU to give concrete support to the peace process in Sierra Leone by contributing to the adequate resourcing of UNAMSIL, and in particular to the budget for the disarmament, demobilisation and reintegration programme, which remains crucial to the success of the entire peace process;
20. Urges that the Special Court for Sierra Leone, which must meet in accordance with UN Security Council Resolution 1315, receive sufficient and sustained funding to initiate and complete trials of those most responsible for the gravest human rights abuses committed since the conflict began in 1991;
21. Welcomes the fact that the President and Government of Liberia are now working on policies towards transparent democratic government and are in discussion with the Commission for a possible renewal of aid;

22. Calls on the Liberian Government scrupulously to respect its undertakings with regard to the UN Security Council resolutions;
23. Calls on governments and the diamond industry to establish an effective and transparent international diamond certification system;
24. Urges the Nigerian Government to restore a climate of confidence between the communities, in accordance with country's constitution;
25. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and to the Governments of Benin, Côte d'Ivoire, Nigeria, Senegal and Togo.

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#### RESOLUTION <sup>(1)</sup>

##### on Central Africa

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Brussels (Belgium) from 29 October to 1 November 2001,

- A. expressing deep concern at the ongoing violence and insecurity in Burundi, which has left at least 200 000 people dead since 1993 and has caused hundreds of thousands of people to flee their homes, including 400 000 Burundian refugees living in neighbouring Tanzania,
- B. deploring the heavy fighting in September between government forces and rebels north-east of Bujumbura, which caused another 15 000 people to flee their homes,
- C. welcoming the recent progress in the implementation of the Arusha Agreement, in particular the announcement of a start on implementation of the plan devised by the mediator, Mr Mandela, and adopted at the summit meeting of Heads of State in Arusha on 23 July 2001, under which the transitional government is due to take office on 1 November and an African peacekeeping force will be deployed,
- D. expressing its support for the mediator, Mr Mandela, and for the peace plan which he is promoting,
- E. concerned at the fact that the two main armed opposition groups in Burundi — the National Liberation Forces (FNL) and the National Council for the Protection of Democracy-Forces for the Protection of Democracy (CNDD-FDD) — have not signed the agreement or committed themselves to the peace process,
- F. whereas there can be no military solution to the conflict and it is up to Burundi's politicians and armed forces, including rebel groups, to find a consensus on the outstanding issues,
- G. deploring the attempted coup of 28 May 2001 in the Central African Republic and the ten days of fighting that followed during which hundreds of people lost their lives,
- H. whereas the situation in the Central African Republic since the attempted coup has been marked by sharp political tensions, further economic decline and a lack of security,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

- I. whereas the continued presence of the UN peace-building mission in the Central African Republic becomes all the more important in the current volatile situation,
  - J. whereas presidential elections took place in Chad on 20 May 2001 and the Constitutional Council declared the outgoing President, Idriss Deby, victor in the first round,
  - K. reaffirming the sovereignty, territorial integrity and political independence of all states in the region,
  - L. reaffirming also the sovereignty of the Democratic Republic of Congo (DRC) over its natural resources,
  - M. whereas the illegal exploitation of these resources has already been described as 'systematic looting' in a recent United Nations report,
  - N. deploring the recent outbreak of fighting in the eastern part of the DRC,
  - O. welcoming the progress that has been made in key areas of implementation of the Lusaka Ceasefire Agreement, which constitutes the consensual basis for peace in the DRC, but noting the many problems still facing the peace process,
  - P. welcoming in particular the advanced state of deployment of the MONUC in accordance with United Nations Security Council Resolution 1341, but recalling the responsibilities of all parties to cooperate in the full deployment of the UN force,
  - Q. noting the plan, elaborated by the parties, for the orderly withdrawal of all foreign forces from the DRC,
  - R. welcoming the recent meeting of the inter-Congolese pre-dialogue in Gaborone, Botswana, from 20 to 24 August 2001, which has given a new impetus to national reconciliation by reflecting the participants' shared desire to put an end to the war, preserve the country's independence and unity, and establish democracy,
  - S. noting that, on 2 September 2001, the Congo-Brazzaville parliament approved the draft constitution drawn up by the government,
- 1. Expresses its profound concern over the continued violence and the humanitarian situation in Burundi, in particular the plight of the hundreds of thousands of refugees and internally displaced persons;
  - 2. Calls on the signatories of the Arusha Agreement to promptly implement the plan adopted at the Arusha summit on 23 July 2001 and set up the country's transition institutions by 1 November 2001;
  - 3. Calls for the rapid deployment of the African peacekeeping force to monitor the implementation of the peace agreement and to protect the transitional government;
  - 4. Calls on all parties that remain outside the Arusha peace process to cease hostilities and to participate fully in that process without delay, as failure to do so will lead to isolation and imposition of sanctions;
  - 5. Calls on the international community and the Commission to provide the humanitarian aid needed by the Burundian population and to supply the cooperation and the resources required for the establishment of democratic institutions, in particular reform of the army and the legal system;
  - 6. Condemns the attempted coup d'état in the Central African Republic and deeply regrets the loss of life that occurred;

7. Reiterates the inadmissibility of the use of force to attain political or economic goals and calls on all parties in the Central African Republic to respect human rights and the rule of law, and to solve the problems through dialogue within the framework of democratic principles;
8. Welcomes the recommendation of the UN Secretary-General to extend the mandate of the UN peace-building mission in the Central African Republic until December 2002, and calls on the EU to actively contribute to achieving the UN objective of restoring political and economic stability;
9. Regrets the shortcomings in the organisation of the Chad presidential poll and the resultant irregularities;
10. Asks the Cameroon Government to agree to the setting-up of an independent committee of inquiry to shed light on the numerous acts of violence which have occurred in recent months and ascertain whether the law enforcement units have been responsible, and also to take all the necessary measures to ensure that the perpetrators are punished and that the victims of violations are granted fair compensation;
11. Reaffirms its belief in peaceful means of coming to power through free and transparent elections;
12. Points out that the EU partnership with Chad is based on respect for democratic values and fundamental freedoms;
13. Reaffirms its support for the 1999 Lusaka Agreement, which provides a consensus on the basis of which peace can be restored in the DRC and the region as a whole; urges all parties concerned to comply with United Nations Security Council Resolution 1304 to the letter;
14. Notes with satisfaction that the ceasefire among the parties to the Lusaka Ceasefire Agreement has been largely respected, welcomes the progress on disengagement and redeployment, and reiterates its urgent call to all parties to the Lusaka Ceasefire Agreement to implement it;
15. Demands that all the parties disengage and redeploy their forces in accordance with the Harare sub-plans and subsequent commitments;
16. Congratulates Namibia on having withdrawn its troops from DRC territory and insists that the Governments of Angola and Zimbabwe on the one hand, and of Uganda and Rwanda on the other, withdraw their troops and their support for armed rebel movements in the DRC;
17. Calls on all the parties to refrain from any offensive action during the process of disengagement and withdrawal of foreign forces, and expresses concern at recent reports of military operations in Kivu;
18. Calls on all parties concerned to cooperate unreservedly with the UN panel of experts responsible for investigating the illegal exploitation of natural resources and other sources of wealth in the DRC;
19. Welcomes the positive spirit with which all participants in the inter-Congolese pre-dialogue meeting approached the discussions in Gaborone and, while deploring the lack of progress in Addis Ababa, strongly urges all Congolese parties to continue working in the same spirit of compromise and conciliation at the next meeting scheduled to resume this November in South Africa;
20. Welcomes the deployment of 2 000 UN troops to help monitor the ceasefire and urges the rapid launch of the next phase of the UN operation, involving the deployment of more troops to begin the programme of voluntary disarmament;

21. Calls on the Council and Commission to step up efforts to implement the Lusaka Agreement and continue to support Mr Masire's mediation efforts and urges them to take the necessary political and economic measures without delay to ensure that the agreement can be properly implemented;
22. Calls on the Member States to honour their commitments concerning the monitoring of arms exports and the prevention of illicit sales of arms and of the trafficking activities through which the necessary funding for the continuation of the war is obtained;
23. Welcomes the decision of the Congo-Brazzaville authorities to put the draft constitution to a referendum, as provided for in the dialogue and national reconciliation agreement;
24. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations Secretary-General, the African Union, and the Governments of Burundi, the Central African Republic, Chad, Congo, the DRC, Rwanda, Uganda, Angola, Zimbabwe and Namibia.

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**RESOLUTION <sup>(1)</sup>****on Southern Africa**

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Brussels (Belgium) from 29 October to 1 November 2001,

**Angola**

- A. dismayed by the intensity of the civil war that has been waged for more than 25 years between the Angolan Government and UNITA, by the non-application of the Lusaka peace agreement, and by the recent attack on a train by UNITA, which constitutes one of the bloodiest dramas in recent years,
- B. whereas peace and national reconciliation can be achieved only by peaceful means and not within the framework of a military solution,
- C. whereas there can be no lasting solution to the Angolan conflict so long as the diamond traffic which finances UNITA enables them to get weapons,
- D. whereas, although Angola has considerable natural resources, the population continues to live under conditions of appalling misery mainly because of the war, and the operating conditions of these resources have to be the subject of the greatest transparency,
- E. whereas the reform of the constitution and electoral law in Angola has to be the occasion to reaffirm respect for human rights, the rule of law, good governance and free and fair elections, as well as the freedom of the press,
- F. worrying deeply about the Angolan population, victims of the war, and in particular refugees and the fate of displaced persons inside the territory, while at the same time the worsening of violence renders the United Nations humanitarian action for these people more and more perilous,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).



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- G. also deploring the increase in minelaying in Angola, a country which is a signatory to the Ottawa Convention and which has been a major focus of EU-funded demining efforts,

#### **South Africa**

- H. whereas the Republic of South Africa, now democratic and released from institutionalised racial segregation, is a crucial element for political stability and economic development in the African continent and in Southern Africa in particular, proving that there is an alternative to underdevelopment, war and despotism,
- I. considering that as South Africa is cementing democratic principles in the country hurdles such as poverty, the HIV/AIDS pandemic, crime and violence — especially against women and children — have to be obviated,
- J. whereas it would be intolerable for South Africa to be taken into the vicious circle of insecurity and retreating economic development which would generate still more poverty and insecurity,
- K. whereas the tragic impact of the alarming crime levels is felt not only by the South African people themselves but also by the European immigrant communities in the country, which find themselves even more exposed to the impact of crime owing to their involvement in economic activities linked to trade,
- L. having regard to progress made in the field of human rights over seven years in the Republic of South Africa, and in particular the South African Government's efforts to check the use of violence by the police and security forces,

#### **Mozambique and Malawi**

- M. having regard to the serious flooding which has once again affected Mozambique and Malawi,
- N. whereas numerous dwellings and important elements of infrastructure have disappeared, and whereas there have been enormous losses in arable and livestock farming,

#### **Angola**

1. Condemns the terrorist acts perpetrated by UNITA and expresses its deepest solidarity with the victims and their families;
2. Stresses that the continuation of this situation does not contribute towards introducing the climate of confidence needed to engender a serious and effective dialogue that can lead to peace and national reconciliation in Angola;
3. Urgently calls on UNITA to end its terrorist acts, to respect the provisions and spirit of the Lusaka Protocol and to embark seriously on the road to peace through concrete actions confirming its declared willingness for dialogue;
4. Calls on the Government of Angola to remain open to further discussions with UNITA; asks the United Nations to take the responsibility for organising new peace talks between the two parties;
5. Stresses its commitment to a political solution based on the Bicesse Peace Agreement, the Lusaka Protocol and the relevant resolutions of the United Nations Security Council, and on respect of human rights and fundamental freedoms, as well as implementation of economic and social reforms;

6. Invites the parties to the Angolan conflict to open an inclusive dialogue leading to sustainable peace in which human rights will be guaranteed and protected, and hopes in this context that the declared determination of President Dos Santos and his government to lead a dialogue on the ways to achieve peace on the basis of the Lusaka Protocol will be carried through to good effect;
7. Welcomes President Dos Santos's decision not to stand in the forthcoming elections and calls on Jonas Savimbi to do likewise;
8. Stresses that a durable and representative solution for the future of Angola cannot be limited to the government and UNITA but must necessarily pass through a process of dialogue involving other parties represented at parliamentary level and organisations of civil society with the aim of establishing peace throughout Angolan territory;
9. Welcomes the award of the Sakharov Prize to D. Zacarias Kamuenho, viewing it as a recognition of the efforts made by the Churches and, more generally, by the whole of civil society, for peace and for inter-Angolan dialogue;
10. Welcomes the commitment of the Government of Angola to hold free and fair elections during the second half of 2002, provided that peace and security are restored beforehand; recalls that these have to be preceded by an intensive period of preparation intended to develop the democratic climate needed for their good organisation; invites the EU to assist the Angolan Government in leading the process towards elections;
11. Reaffirms the importance which it attaches to the effective implementation of the resolutions of the United Nations Security Council and invites this body to condemn those countries and companies which are acting in breach of the ban laid down in Resolution 1295 (2000) and which, by buying diamonds, contribute to the fuelling of this war;
12. Invites all the parties to the conflict to allow humanitarian organisations to reach, in full safety and without restriction, the people affected by the war, and in particular refugees and displaced persons, and to guarantee protection to the personnel of these organisations;
13. Calls on all parties to the conflict to immediately stop their minelaying activities;
14. Invites the African governments to intensify their cooperation, if necessary, in order to place themselves in a position to demand a binding ceasefire in Angola;
15. Calls on the EU Commission and the ACP-EU to identify countries that provide markets for UNITA's diamond trafficking;

#### **South Africa**

16. Calls on the Government of South Africa to do everything possible to encourage sustainable development and to increase the living standard of the majority of the black population;
17. Supports the South African Government in its efforts to contribute to finding solutions to conflicts in neighbouring countries, including those likely to impact on the region's economic attractiveness;
18. Invites the Government of South Africa to intensify its efforts to combat poverty and social inequality, promote job creation, and to speed up, within the framework provided by the law, land reform for the benefit of the poor;
19. Invites the Government of South Africa to intensify its efforts in the fight against HIV/AIDS; requests in this context the implementation of a clear programme of prevention, care and treatment of HIV/AIDS;

20. Invites the authorities concerned to redouble their efforts in the fight against crime and insecurity while ensuring that this does not undermine respect for human rights; invites, accordingly, the Member States, the Commission, the European Investment Bank and the international community to lend assistance, under their respective programmes, to the Government of South Africa to allow it to adopt new measures of prevention in the fight against crime and to strengthen existing measures in order to generate the climate of greater security necessary for the economic development of a peaceful society;

21. Invites the Government of South Africa to intensify efforts to combat sexual violence, to prevent this type of behaviour and to protect women and young girls;

22. Recalls that, in addition to the reduction of poverty, one of the priorities of the European Programme for Reconstruction and Development (EPRD) in South Africa is the 'consolidation of the foundations laid for a democratic society and rule of law in which human rights and fundamental freedoms are respected completely';

#### **Mozambique and Malawi**

23. Expresses its solidarity with the people of Mozambique and Malawi;

24. Calls on the Commission and the Member States of the European Union to step up their efforts to help the reconstruction of dwellings and infrastructure;

25. Calls on the Commission to draw up, with the countries concerned, a programme seeking to prevent the recurrence of the floods;

26. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, to the Secretary-General of the United Nations, the Organisation of African Unity and the Governments of Angola, Malawi, Mozambique and South Africa.

### **RESOLUTION <sup>(1)</sup>**

#### **on the situation in the Sudan**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
- having regard to the report of its delegation on its fact-finding mission to the Sudan from 26 June to 2 July 2001,
- having regard to Resolution 2001/18 of the United Nations Commission on Human Rights of 20 April 2001,
- having regard to the United Nations Security Council Resolution 1372 (2001) of 28 September 2001 lifting the sanctions imposed on the Sudan,
- A. delighted that its fact-finding mission was granted every facility by the Government of the Sudan to travel where it wished and interview those it asked to,
- B. deeply concerned by the continuing civil war in the Sudan, with its attendant suffering and misery, and its adverse effect on the civilian population, in particular women and children,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

- C. pointing out the urgent need for a just and durable peace settlement, and deeply regretting the failure of the numerous peace initiatives undertaken so far,
- D. deploring the occurrence, within the framework of the conflict in southern Sudan, of the use of children as soldiers and combatants, forced conscription by the Sudanese People's Liberation Army, forced displacement, arbitrary detention, torture and ill-treatment of civilians, and of still-unresolved cases of enforced or involuntary disappearances,
- E. deploring the abduction of women and children who are subjected to forced labour or similar conditions, carried out on an inter-tribal basis and mainly by the murahaleen militias, but welcoming the activities of the Committee for the Eradication of the Abduction of Women and Children (CEWAC) as a constructive response on the part of the Government of the Sudan,
- F. deeply concerned by the use of civilian premises for military purposes and the indiscriminate aerial bombardment of such targets,
- G. welcoming the expressed commitment by the Government of the Sudan to respect and promote human rights and the rule of law and its expressed commitment to a process of democratisation with a view to establishing a representative and accountable government, reflecting the aspirations of the people of the Sudan,
- H. deeply concerned nevertheless by the continuing violations of human rights in the Sudan, in particular concerning religion, security of the person, expression, association and peaceful assembly,
- I. considering the fact that most parties to the conflict accept the principle of the long-term status of the South Sudan being decided in a referendum,
- J. noting with disquiet the apparent slowdown and consequent lack of progress in the EU-Sudan political dialogue,
- K. aware of the currently destabilising effects of oil production but also of its extremely valuable potential contribution to the country's economic development,
- L. greatly alarmed at the growing food crisis in parts of the country, compounded by war operations and the increasing number of Internally Displaced Persons,
- M. horrified at the continuing depredations of the Lord's Resistance Army, including further abductions of children from northern Uganda and the use of thousands of children as soldiers and sex slaves and the consequent death of many of them,

#### Peace

1. Calls on all parties to the conflict to refrain from any further aggressive action and to proceed immediately to serious negotiations with the aim of achieving a complete ceasefire in the very near future, a ceasefire which should be monitored by the United Nations or the African Union;
2. Calls on the parties to the conflict to respect the Geneva Conventions prohibiting attacks against civilians, and to refrain from locating military installations in civilian centres and indiscriminate aerial bombardment;
3. Regrets the refusal by the SPLM/A to respond positively to the call for a comprehensive general ceasefire by the Government of the Sudan (GoS), and condemns the continuing SPLA attacks and in particular the major offensive in Western Bahr el-Ghazal which was conducted at the very time of the 2 June 2001 summit of the IGAD Sub-Committee on the Sudan;

4. Considers that top priority should be given to the pursuit of the IGAD process which, being essentially neutral, covering the interests of all parties in the conflict and involving all states and other parties concerned, offers the best prospect for achieving a just and durable peace, but welcomes other peace initiatives which can reinforce and complement the IGAD peace process;

5. Regrets the fact that the IGAD peace process seems to have stalled recently and calls on the European Union and on those EU and ACP members which are part of the process to increase their political commitment to it;

6. Calls for the European Union to send a high-level troika in the near future to help revive the peace process and the EU-Sudan political dialogue;

#### **The EU-Sudan political dialogue**

7. Welcomes the progress achieved by the EU-Sudan political dialogue, particularly the improved relations between the Sudan and its neighbours and the removal of any suspicion that the country is supporting international terrorism; welcomes the Sudan's current support for the international fight against terrorism;

8. Notes that while some improvement has been made in the areas currently covered by the political dialogue — notably human rights, democracy, the rule of law and good governance, and the peace process — the situation regarding all of these remains unsatisfactory and requires further efforts by all concerned;

9. Considers that the identification by the European Union of benchmarks, specific guidelines and various conditions and steps which could lead to the re-establishment of normal relations could help contribute to progress;

10. Calls on the GoS to expedite its efforts to address problems relating to religion, security of the person, expression, association and peaceful assembly, and to take more effective action against torture, discrimination against Christians and abductions (which particularly affect women and children);

11. Considers that it could be useful for the European Union to directly link progress made under these various headings in the political dialogue to specific development programmes, extending its rather limited projects in the field of human rights and planning projects to improve education;

12. Calls for the EU to develop stronger links with the SPLM/A, ideally involving also other groups engaged in conflict in the South, and to try to engage in a process parallel with the political dialogue being conducted with the Government of the Sudan;

13. Considers it important that the EU Heads of Mission based in Khartoum increase their coverage of all areas of the Sudan, covering political issues as well as humanitarian aid and sustainable support and human rights;

14. Calls on the Commission to significantly increase the staff in the EU Delegation in Khartoum, in the light of the implementation of existing projects now under way and in view of the additional EU action called for in this resolution;

#### **The oil issue**

15. Believes that oil production has increased the stakes in the civil war;

16. Calls on the GoS to publish a clear statement of all of its revenues and expenditures which would show the purposes to which oil money was being put;

17. Considers that the GoS would improve its own position, and increase the chances of a durable peace in the whole country, were it to ensure that oil revenues were used to a greater extent to alleviate hardship and strengthen the economy;

18. Feels it important that those oil companies operating in the Sudan should increase their employment of people from the oilfields region and expand their involvement in providing health services and basic education, as well as developing in-house training programmes;

#### **Humanitarian aid — relief and development**

19. Is seriously alarmed by the growing food crisis in Northern and Western Darfur, as well as elsewhere in the Northern Sudan Climatic Transition Zone, and calls on the GoS to attach a high priority to dealing with drought and hardship in these areas;

20. Calls on the EU, its Member States and other donors or potential donors to maintain and expand supplies of food and medicines to the distressed population in these areas;

21. Considers it vital for the existing early warning systems to be continued and for such systems to be extended to cover the whole Northern Sudan Climatic Transition Zone;

22. Calls on the GoS to establish means of providing humanitarian aid to all affected populations under its control, in particular in the Nuba Mountains and the southern Blue Nile regions;

23. Welcomes the decision to implement the Humanitarian Plus programme and the open attitude of the GoS to accept the arrangements making this programme possible; would welcome the supplementing of this programme with other projects subject to the successful progress of current projects and advances in the EU-Sudan political dialogue;

24. Believes that the SPLM/A should not seek formal control over any EU funding, which would allow for a resumption of humanitarian assistance, to be implemented by NGOs, churches and UN agencies;

25. Calls on the EU to examine ways of supporting civil society in both north and south, and also to significantly improve basic education;

#### **The Lord's Resistance Army**

26. Welcomes the cessation of GoS military support for the LRA, but asks it to consider how essential food and medical supplies could be provided to the abducted children held by them;

27. Calls on the GoS and the SPLM/A to refrain from direct attacks on LRA positions in consideration of the danger for the lives and safety of the abducted children;

28. Welcomes the fact that channels for the reception and repatriation of those abducted children who escape or are captured have been established both by the GoS and the SPLM; considers that these should be expanded and improved, as should liaison with the Ugandan authorities, with the EU making funds available to meet any identified need;

29. Asks all parties to fully support the efforts of the Carter Center to bring about an acceptable resolution of the LRA issue, and considers that any supplementary efforts should be closely coordinated with them;

30. Welcomes the fact that the Government of Uganda and the Government of the Sudan have re-established diplomatic relations and appreciates the joint effort of the two governments, through the Carter Center and other possible avenues, to create dialogue with Joseph Kony for the purpose of the dissolution of the LRA and the release of the abducted children;

31. Calls on EU Member States to ensure that all legal means are used to counter the provision of any active support for the criminal activities of the LRA from their territories;

32. Asks that the EU consider appointing a special representative to assist the peace efforts being made and underline the political importance it attaches to them, with such a person monitoring the situation of children affected by armed conflict in this region and ensuring that EU declarations and European Parliament resolutions are followed up with the requisite action;

33. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN and African Union Secretaries-General, the Government of the Sudan, the Sudanese People's Liberation Movement and to the Government of Uganda.

#### RESOLUTION <sup>(1)</sup>

##### on the crisis facing the Caribbean tourism industry

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Brussels (Belgium) from 29 October to 1 November 2001,

- A. recognising that the events in the United States of America on 11 September have had an immediate impact on the global travel and tourism industry, with worrying consequences for the Caribbean region as one of the most tourism-dependent regions of the world where economic growth and development are tourism-led,
- B. recalling that the future prospects for the Caribbean tourism industry now look bleak as international tourism arrivals continue to decline sharply, and that the World Bank has noted that the immediate impact of 11 September in the Caribbean was such that 65 % of the holidays booked were cancelled, and that as a result, hotel occupancies in some Caribbean destinations are currently as low as 15 %,
- C. noting that before 11 September one in every four Caribbean persons was employed either directly or indirectly in the travel and tourism industry and that the sector's contribution to the GDP of Caribbean countries in 1999 ranged from 13 % in Trinidad and Tobago to 69 % in St Lucia,
- D. recognising that the Caribbean travel and tourism sector was already suffering a decline because of the downturn in the US and European economies, and that 11 September has exacerbated the major structural problems facing the industry — such as low investment levels and declining European and US airlift into the region — that the region was beginning to address,
- E. acknowledging that the impact of the crisis in the Caribbean tourism sector is particularly acute for the small island economies of the region, where economic activity is not diversified and there is no substitute for tourism as a source of income and employment,
- F. recognising that Caribbean countries lack the resources to put in place short-term assistance packages for their travel and tourism sectors, and acknowledging that higher air transportation costs will further reduce the international competitiveness of the Caribbean tourism sector,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

- G. recalling Article 24 of the ACP-EU Partnership Agreement signed in Cotonou (Benin) on 23 June 2000, and its 'Compendium', which recognise the significant and increasing importance of tourism to the growth of the services sector in ACP countries and to the expansion of their global trade, its ability to stimulate other sectors of economic activity, and the role it can play in poverty eradication,
- H. reaffirming its resolution on tourism and development adopted during the second session of the Joint Parliamentary Assembly session held in Libreville (Gabon) from 19 to 22 March 2001,
1. Calls on the Commission, the EU Member States and the ACP countries to recognise that the Caribbean tourism industry is in crisis and that poverty in the region is likely to increase as a result of increasing unemployment and reduced revenues caused by the downturn of the tourism sector;
  2. Calls on the Commission and the EU Member States to continue to implement the provisions of Article 24 of the ACP-EU Partnership Agreement and all other provisions in the agreement that might provide emergency assistance to the tourism sector;
  3. Calls on the Commission, the EU Member States and the ACP countries to recognise that tourism is an export industry that is traded internationally and to explore all appropriate means of providing the sector with short-term support to mitigate the adverse effects of the current instability in export earnings from tourism, including Article 68 of the ACP- EU Partnership Agreement;
  4. Stresses the importance of undertaking a diagnostic study to examine the viability of the Caribbean tourism industry in the light of changing circumstances within the global travel and tourism sector and to identify how best to address the major structural problems such as competitiveness, low investment levels and declining US and European air transportation that the industry is keen to address;
  5. Calls on the Community and EU Member States to consider with European tour operators and airlines all possible ways of supporting the Caribbean tourism sector;
  6. Welcomes the initiative taken by CARICOM Heads of Government to convene a Special (Emergency) Meeting of the Conference of Heads of Government on the Caribbean Community's response to the events of 11 September in the USA, aimed at assessing the impact of these events on the region's security and economic survival and determining the necessary responses to reduce the impacts;
  7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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**RESOLUTION <sup>(1)</sup>****on damage caused by Hurricane Iris to Belize**

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Brussels (Belgium) from 29 October to 1 November 2001,

- A. having regard to Article 72 (1) of the Cotonou Agreement, which refers to the provision of humanitarian and emergency assistance to ACP states faced with 'serious economic and social difficulties of an exceptional nature resulting from natural disasters ...',
  - B. recalling that Article 73 focuses on 'post-emergency action, aimed at physical and social rehabilitation consequent on the results of natural disasters ...', stating that this action 'must ease the transition from the emergency phase to the development phase, promote the socio-economic reintegration of the parts of the population affected ...',
  - C. noting that on 8 October 2001 Hurricane Iris struck Belize with winds of 225 kph and tidal surge of up to five metres, causing massive devastation to the southern districts of Stann Creek and Toledo,
  - D. noting the extensive destruction of housing in the region, leaving 13 000 people homeless, these being mainly indigenous persons many of whom are below the poverty line,
  - E. noting further the widespread damage to the productive sector, especially citrus and aquaculture, and in particular the decimation of the banana industry,
  - F. considering that 95 % of the tourism facilities on the peninsula of Placencia were severely damaged or destroyed, thus compounding the already negative impact of the 11 September terrorist attack on the US,
  - G. noting the significant damage to the environment, specifically the forest cover, coastal ecosystems and marine resources, and the damage to the country's transport infrastructure,
  - H. acknowledging the offer of the EC to provide EUR 500 000 for emergency humanitarian assistance,
  - I. considering that the total damage caused by the hurricane has been assessed at USD 200 m or 25 % of Belize's GDP for 2000 and that a Recovery Management Strategy has been approved by the Government, based on a close partnership with civil society and the international community,
  - J. considering that Article 72 of the ACP-EU Partnership Agreement states that the Community shall take the steps necessary to ensure speedy action in response to the immediate needs of the affected areas;
1. Calls on the European Union to implement the provisions of Article 72 of the ACP-EU Partnership Agreement by providing adequate resources to assist with the rehabilitation and reconstruction of the affected areas;
  2. Calls on the European Union to assist in the provision of support in the post-emergency phase and in the building of capacity and the transfer of technology that will, in the future, contribute to Belize's ongoing initiatives to bring about a reduction in the impact of any similar disaster;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

3. Calls on the European Union to encourage the international community to assist in the rebuilding process and to support programmes of disaster prevention;
4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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#### RESOLUTION <sup>(1)</sup>

##### on the situation in the Pacific

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - having regard to its previous resolutions on the Pacific region, particularly the situation in the Solomon Islands,
- A. whereas the Solomon Islands have experienced ethnic tensions and political turmoil,
  - B. whereas organisations like the Pacific Regional Forum are moving towards establishing a free trade area for the Pacific, which would encourage economic growth and sustainable development in the Solomon Islands and other ACP countries in the region,
  - C. acknowledging and supporting the initiative of the Pacific ACP ministerial fact-finding mission to the Solomon Islands as an excellent model in inter-ACP cooperation in conflict resolution under the Cotonou Agreement,
  - D. whereas the Government of the Solomon Islands have scheduled elections for December 2001,
  - E. whereas the Government of the Solomon Islands have invited the European Parliament and the Joint Parliamentary Assembly to observe these elections,
1. Calls on the Solomon Islands authorities to organise the coming elections in a completely transparent way and to ensure that all ethnic communities and other sectors of society are guaranteed their right to participate in the elections;
  2. Calls on all sides in the Solomon Islands to respect the Townsville and Marau Peace Agreements and to guarantee the safety and human rights of the civilian population;
  3. Supports all efforts, including those by Australia and New Zealand and the Prime Minister of the Solomon Islands, Manasseh Sogavare, to create national unity and reconciliation;
  4. Welcomes the European Parliament's decision to send five observers to the elections in the Solomon Islands;
  5. Calls on the EU Council and Commission to provide financial and technical assistance for the preparation of the elections and to send observers to monitor these elections, including Members of the European Parliament;
  6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Secretaries-General of the United Nations and the Commonwealth, and the Government of the Solomon Islands.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

**RESOLUTION <sup>(1)</sup>****on the report on the JPA observer mission to the Fiji elections**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - recalling its previous resolutions on the Pacific Region and with specific reference to the situations in Fiji Islands,
  - recalling the declarations by the EU Presidency on the situation in Fiji of 29 May 2000 and 25 July 2000,
  - having regard to the communication from the Commission to the Council of 24 July 2000 on the opening of consultations with the Republic of Fiji Islands under Article 366a of the Lomé Convention (Article 96 of the Cotonou Agreement),
- A. whereas organisations like the Pacific Regional Forum are moving towards establishing a free trade area for the Pacific, which would encourage economic growth and sustainable development in the Fiji Islands and the ACP countries in the region,
- B. whereas Fiji has experienced ethnic tensions and political turmoil over the past 18 months,
- C. whereas general elections took place in Fiji on 25 August-1 September 2001,
- D. whereas members of the ACP-EU JPA acted as observers and whereas the UN Fijian Electoral Observation Mission concluded that the voting results reflected the will of the Fijian people,
- E. noting that the appointment of the new Cabinet in Fiji is the subject of court challenges by one of the political parties and in that regard further notes the public commitment by the new Prime Minister that he will abide by the decision of the courts in this matter,
- F. whereas the resumption of EU cooperation with Fiji is dependent on having had free and fair elections and the formation of a government that is in conformity with the constitution of Fiji,
1. Congratulates the Fijian people and all parties concerned for the peaceful and orderly manner in which the general elections took place;
  2. Notes that the international observers for the recent elections in Fiji have made suggestions on improvements in the electoral system for future use and urges the relevant authorities in Fiji to give consideration to these suggestions;
  3. Calls on the Government of Fiji to abide by the decision of the courts in relation to its formation;
  4. Calls on all elements of Fijian society to work together in a spirit of reconciliation to restore inclusive democratic rule in Fiji;
  5. Calls on the EU to resume full cooperation with Fiji in line with the relevant Council declarations;
  6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Secretaries-General of the United Nations and the Commonwealth, and the Government of Fiji.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

**RESOLUTION <sup>(1)</sup>****on migration**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
- having regard to the relevant international legal instruments, to which the Member States are signatories, in particular the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, the 1995 Framework Convention for the Protection of National Minorities and the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- having regard to the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance of 31 August-7 September 2001,
- having regard to the Final Declaration and Programme of Action adopted in Durban on 8 September 2001 by the World Conference Against Racism,
- having regard to Council Directive 2000/43/EC of 29 June 2000 implementing equal treatment between persons irrespective of racial or ethnic origin and having regard to the progress made towards acceptance of diversity in Europe,
- having regard to its previous resolutions on combating racism, xenophobia and anti-Semitism,
- having regard to its previous resolution on immigration adopted in October 1999,
- A. whereas immigration is a result of economic disparities, the widening gap between rich and poor countries, civil war, wars for control of natural resources, political persecution and environmental degradation,
- B. whereas the adoption of a common approach to legal immigration by all EU Member States is based on the fact that pressures to migrate will continue and that regulated immigration will be advantageous to the EU, the immigrants and their countries of origin,
- C. whereas the EU Member States' current immigration policy, aimed at curbing migration flow, has led to an increase in illegal immigration without achieving the declared objectives,
- D. concerned about the human tragedies and deaths that occur daily around the world when immigrants and refugees are refused entry into countries or attempt to bypass official procedures,
- E. whereas illegal immigration leaves many vulnerable to exploitation by criminal traffickers, and trafficking in children is an unacceptable practice which must be penalised and eradicated,
- F. condemning human trafficking, which involves exploitation of some of the world's poorest people by clandestine immigration networks for profit-making purposes alone and with complete disregard for the dignity of human life,
- G. whereas co-development must form part of an integrated vision of European cooperation and immigration policies,
- H. highlighting the major contribution made by ACP nationals legally resident in EU Member States to the economy of the European Union and its social development and welcoming moves by EU Member States towards full integration of these nationals into social, economic, cultural and political aspects of the EU,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

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- I. whereas, despite the efforts undertaken at international level and in the European Union, acts of racist violence against immigrants and minority groups are continuing to increase in Europe and world-wide,
- J. stressing the duty of EU Member States that take in immigrants to ensure that immigrants are not subject to discriminatory treatment compared with their own nationals,
- K. whereas ethnic, religious, cultural and linguistic diversity has a stimulating effect on society both in the European Union and in the ACP,
1. Firmly condemns the traffic in human beings and the economic exploitation of immigrants, stressing that, if the situation is to be properly managed, extensive measures are needed in addition to the combating of illegal immigration;
2. Mindful that the principles of asylum and refuge are recognised in international law and the common *acquis* of mankind, and that they should not be limited by inclusion in the framework of restrictive immigration policies;
3. Calls on the EU Member States to promote and protect the human rights and fundamental freedoms of all migrants, in conformity with the Universal Declaration of Human Rights, regardless of the migrant's immigration status;
4. Calls on the EU Member States to take concrete measures against racial discrimination, xenophobia and related intolerance and to ensure that all persons residing legally in the EU enjoy equal social, economic, political and cultural rights, including the right to vote;
5. Emphasises also that states must adopt concrete measures without delay to honour the commitments they made in Durban to fight racism: the adoption of stronger anti-racist laws on the basis of the principle that 'racism is a crime', information and awareness-raising campaigns in the media and educational establishments, training programmes against intolerance, in particular for the police and those working in the field of justice, legal action against parties and groups with a racist or xenophobic ideology, and gender mainstreaming in action to combat racism;
6. Stresses that special attention should be given to women migrants so as to avoid gender-related racial discrimination;
7. Welcomes the fact that slavery and the slave trade were recognised as a crime against humanity in Durban; considers this recommendation to be a historic victory;
8. Demands greater commitment from the EU Member States and the European Commission to promotion of the social and economic development of poor countries as a means of managing migratory flows, which will persist so long as the prosperity gap remains and increases;
9. Condemns the shameful traffic in children and calls on the authorities of the countries from which these children come to take the necessary measures to put an end to this inhuman practice;
10. Considers that a responsible and sustainable migration policy must focus on conflict prevention, stronger international rules on the arms trade, and promotion of sustainable development, education and democracy in the countries of emigration;
11. Considers that social, economic and political development of the world's poorer nations can provide structural alternatives in reducing illegal or clandestine immigration;

12. Calls on all wealthy developed countries to honour their undertakings to earmark at least 0,7 % of their GDP to North-South cooperation policies, and calls on the developing countries to use at least 30 % of their budget for social, educational and health development policies in accordance with the Copenhagen criteria;

13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

## RESOLUTION <sup>(1)</sup>

### on food security

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - having regard to the upcoming World Food Summit,
  - having regard to the EU-Africa Ministerial meeting on 11 October in Brussels,
  - having regard to the forthcoming WTO negotiations in Doha, Qatar, from 9 November until 13 November 2001,
  - having regard to the UN Convention to Combat Desertification, the Convention on Biological Diversity, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Convention on Climate Change, in particular the Kyoto Protocol,
  - having regard to the OAU's Model Law for the Protection of the Rights of Local Communities, Farmers and Breeders and for the Regulation of Access to Biological Resources, and to the OAU's Draft African Biosafety Model Law,
  - having regard to its previous resolution on poverty alleviation, trade and food security,
- A. whereas the persistence of chronic hunger and widespread food deprivation suffered by the majority of the population in developing countries have undermined the right to food and nutritional well-being as enshrined in the Universal Declaration of Human Rights,
- B. whereas the international community committed itself, at the Rome World Food Summit in 1996, to halving the number of undernourished people from 800 million in 1996 to 400 million in 2015,
- C. whereas current data indicates that the number of undernourished people is falling at a rate of 8 million each year, far below the average rate of 20 million per year needed to reach the World Food Summit's target,
- D. whereas hunger, malnutrition and the exclusion of millions of people from access to food are consequences of economic, agricultural and trade policies,
- E. whereas sustainable food security, in particular through the establishment of strategic food reserves with the ultimate aim of rendering food aid unnecessary, is one of the immediate objectives of the economic policies of many ACP countries,
- F. recognising the work of the UN Commission on Sustainable Development and looking forward to the World Summit on Sustainable Development bridging the divide between the wealthy North and the poor South inter alia by the achievement of the Millennium Summit targets,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

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- G. whereas the Commission must work with other international bodies such as the UN and the OECD to build coherent policies on trade, macroeconomic management, regional integration, key economic sectors and environmental concerns,
- H. whereas removing trade barriers to international trade in agricultural products is seen as a viable option in order to increase food security,
- I. whereas the WTO talks in Qatar must focus on food security and the needs of developing nations by allowing free but fair trade globally,
- J. whereas food security remains an important aspect of the European Community's policy of cooperation with the ACP countries and developing countries in general,
- K. whereas some natural resources are being overused and industrial activities pursued without much thought for the environment, leading to the build-up of harmful pollutants, or to the depletion of resources affecting the needs of future generations,
- L. noting that governance determines the institutional and policy approaches that are adopted regarding resource management, and that one of the major stumbling blocks to sustainable development is the lack of intersectoral planning and coordination between government and all other stakeholders at the policy and planning level,
- M. noting that sustained cooperation and coordination regarding water use policies and policy implementation is essential to avoid future inequitable use, cross-border pollution and conflict,
- N. whereas food security and sustainable development are not just confined to land but also affect the sea, with one billion people dependent on fish stocks — which will require universal cooperation on data-collection, stock surveillance, control and enforcement,
- O. whereas global fish stocks have started to collapse and the rivers, land and atmosphere in some regions have become so polluted that agriculture and human health have begun to suffer, causing enormous financial and environmental costs in trying to remedy the situation,
- P. whereas some major donors of food aid, such as the EU, permit local purchasing while the rules followed by other donors preclude this,
- Q. reiterating that food aid and any form of assistance to food security strategies, programmes and projects should not be used as an instrument for political and economic pressure,
- R. whereas the technology gap between the ACP and the EU has widened significantly in the last decade, due in particular to the differing development benefits derived from information and communications technology,
1. Calls for the recognition of food sovereignty and security as a basic democratic right of all countries;
  2. Believes that food security must be guaranteed by ensuring that the right choices are made as regards methods of production and consumption that are compatible with protecting health, the environment and sustainable development;
  3. Calls for the recognition of the right of the developing countries to protect their internal food market;

4. Calls, in accordance with Article 20 of the WTO Agreement on Agriculture which takes into account non-trade concerns, for a gradual and substantial reduction of export subsidies by the developed countries, and for an evaluation to be carried out on the harmfulness of EU export subsidies to the development of agriculture and food security in the ACP states;
5. Asks the Commission to continue to build on the 'Everything But Arms' proposal, which may be seen as an encouraging first step in respect of the poorest countries, by introducing new measures such as guaranteeing prices for products from the least developed countries, increasing quotas for products from developing countries and allowing 'cumulative' exports by the least developed countries via other developing countries in the region, where agricultural products from the least developed countries acquire added value as a result of further processing;
6. Calls on the donor community to shift the emphasis towards assistance in cash as this has the advantage of keeping producer prices from falling precipitately which may lead to the collapse of the food security strategy in many ACP countries;
7. Emphasises that European agricultural products may only be used for food aid if agricultural production in the target region itself is insufficient for supplying food aid;
8. Calls for a radical reduction in barriers to agricultural exports from poor countries, reflecting their varying levels of development, which should include lower tariffs, expanded tariff rate quotas and progressive elimination of tariff peaks and tariff escalation while tariffs on tropical agricultural products must at all events be removed;
9. Calls for a full assessment of the impact of current trade liberalisation policies on food security in ACP countries and demands that the result of this assessment be used to formulate clear guidelines to address the problems of food security;
10. Emphasises that the existing arrangements in the Marrakesh agreement on agriculture should be fully implemented;
11. Urges the recognition of the specificities and trade and development needs of the Small Island Developing States (SIDS), particularly their requirement for food security which can be met by financing foodstuffs imports from adequate and stable earnings derived from their preferential exports to the EU and the markets of other developed countries; calls on the WTO in this regard to provide special and differential treatment;
12. Supports African countries' opposition to the patenting of life and considers that patenting of all living organisms should be banned;
13. Considers that patents on seeds and genetic resources for food and agriculture threaten sustainable farming practices, increase corporate monopolies over technologies, seeds, genes and medicines; supports therefore the proposal, made by developing countries led by Africa, to modify the TRIPS agreement in order to exclude patents on all forms of living organisms;
14. Insists in particular on the need to recognise the right of states to refuse to grow genetically modified crops, as they increase dependence on some multinationals and present potential risks for health and biodiversity;
15. Calls on all wealthy developed countries to honour their undertakings to earmark at least 0,7 % of their GDP for North-South cooperation policies;
16. Calls for the adoption by governments of strategies that create a balance between social, economic and ecological needs, including community-based resource management programmes focused on collaborative conservation efforts on communal land, biodiversity programmes promoting community involvement and harnessing traditional knowledge, and management strategies including environmental impact assessment;



17. Emphasises that the governments of the ACP countries can ensure a climate favouring sustainable agricultural development within their countries through a series of measures such as enlarging cooperation at a regional level to improve the markets for agricultural products; developing education programmes for local farmers; ensuring cooperation with local organisations of farmers, especially women, when developing and implementing national farm policies; ensuring the existence of locally well managed water-supply schemes; and promoting and sustaining local seed banks;
18. Urges the international donor community to give all necessary financial, technical and diplomatic assistance to those ACP countries that are perennially affected by drought to utilise their water resources within the limit of sustainable conservation and environment management;
19. Calls on the European Community to increase its support for development projects giving priority to basic education and health as decided by the European Parliament in the budget process; insists also on the importance of rural development and specifically on water and soil conservation, terraces, check-dams, small-scale irrigation, micro-dams, access roads, schools and clinics;
20. Calls for progress in democratic access to land as a necessary condition for food security and asks the Commission to provide support to developing countries undertaking land reform programmes of genuine benefit to the people at large, within the framework provided for by law;
21. Is of the opinion that the commitment regarding a dialogue between EU and ACP countries laid down under the Cotonou agreement should also be observed in connection with the reform of the CAP in order to ensure that the ACP interests are fully taken into account, particularly to safeguard the benefit ACP countries derive from the preferential export of certain commodities;
22. Asks the Commission to ensure that, for each specific market sector, proposals for reform of the CAP are examined for consistency with development policy, to ascertain whether they interfere with the development of agricultural markets in developing countries;
23. Calls for a European programme for developing countries for knowledge transfer and capacity expansion, including essential development of institutions, diversification of production and exports and assistance with adaptations seeking to comply with quality and food safety (veterinary and phytosanitary) requirements, as well as dealing with other problems on the supply side which hinder the development of agricultural markets and exports from developing countries while financing for these programmes could be found in CAP funds;
24. Urges the Commission to review current arrangements for fisheries agreements with developing countries that are mutually beneficial to the EU and such developing countries, in order to ensure that stocks are sustainably utilised and local production capacity is increased;
25. Urges all ACP and EU Member States involved in the Kyoto process to ratify the Protocol and start reducing emissions of carbon dioxide in order to reduce the environmental impact on food supplies;
26. Calls for assistance in addressing and removing barriers to the introduction and transfer of climate-friendly technologies;
27. Calls on the governments at the World Summit on Sustainable Development (WSSD) to draw up an implementation plan — the Johannesburg Plan of Action — to cement a meaningful, practical and committed global partnership of all major groups to resource and manage the plan;
28. Calls for an agreed definition of the relationship between development, economics and trade, as well as a set of conclusive agreements on financing for sustainable development;

29. Calls on the EU to assist in bridging the digital divide by means of technology transfer, information exchange and technology partnerships, by improving affordable access to sustainable development technologies for ACP countries;

30. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN Secretary-General, UNCTAD, the WTO, the FAO, the IFAD, the IUCN, the World Bank and the IMF.

# RESOLUTION <sup>(1)</sup>

## on the rights of disabled people and older people in ACP countries

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - whereas 10 % of the population in developing countries have a disability and 20 % of the population are directly affected by disability <sup>(2)</sup>
  - having regard to United Nations Resolutions 46/91 on Principles for Older Persons <sup>(3)</sup> and 48/96 on Standard Rules on the Equalisation of Opportunities for Persons with Disabilities <sup>(4)</sup>,
  - whereas 5,1 % of the population in developing countries are aged 65 and above and this is set to rise to 6,5 % by the year 2015 which represents an absolute increase of 52 % <sup>(5)</sup>,
- A. recognising that the needs and interests of disabled people, older people and their families are not adequately addressed in the development policy of most countries across the globe and that this needs to change,
- B. noting that the United Nations Standard Rules on the Equalisation of Opportunities for Persons with Disabilities led to political recognition and advocacy for the human rights and social model of disability,
- C. noting that the United Nations Principles for Older Persons of 1991 supports the rights of older people to participation, dignity, independence, self-fulfilment and care,
- D. considering that no decisions or actions concerning disabled people or older people and their families should be undertaken without their full involvement and consultation via their representative organisations,
- E. whereas the Commission and EU Member States must work with other international bodies such as the World Health Organisation, World Bank and UNDP to increase expenditure and outcomes to improve the health systems in developing countries,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

<sup>(2)</sup> Source: World Health Organisation.

<sup>(3)</sup> UN Resolution 46/91, 16 December 1991.

<sup>(4)</sup> UN Resolution 48/96, 20 December 1993.

<sup>(5)</sup> Source: US Bureau of the Census.

- F. whereas many developing countries lack the facilities and health services capable of dealing with disabled people and the disorders and illnesses of old age,
- G. recognising that poverty is the main threat to disabled people and older people and there is an essential need to incorporate the disability and age dimension into poverty indicators and interventions, and recognising that barriers faced by disabled people and older people — especially disabled women and older people with disabilities — to employment, income support, health care and community development programmes must be addressed as a priority,
- H. noting the increasing burden of disease affecting the physical and mental health of older people, which may partly result from a variety of forms of abuse and exploitation,
1. Calls on the Council of the European Union and the European Commission to recognise and promote the UN Standard Rules on the Equalisation of Opportunities for Persons with Disabilities and the UN Principles for Older Persons in their guidelines for all development work and to introduce special measures to ensure that people with disabilities and older people participate in society;
2. Calls on the Council of the European Union and governments of the ACP countries to increase the use of the various UN human rights instruments to promote and protect the basic human rights and freedoms of disabled and older people;
3. Urges upon the Council of the European Union and the European Commission the need to support the range of support services for the benefit of disabled and older people and their families including community-based rehabilitation, home-based care and resource centres;
4. Calls on the Council of the European Union and the European Commission to fund capacity-building measures for organisations for disabled people and older people in ACP countries, so they have a strong voice and are consulted on matters which concern them;
5. Calls on the EU to fulfil its obligations to the World Social Summit in Copenhagen — the 20-20 initiative — in which participating governments committed themselves to increase the share of funding for social development programmes and agreed a mutual commitment to allocate 20 % of overseas development assistance and 20 % of the national budget to social programmes;
6. Calls on all developed countries to honour their undertakings to earmark at least 0,7 % of their GDP to North-South cooperation policies so as to enable emerging economies to support adequate levels of social expenditure;
7. Recognises that 2003 marks the European Year of People with Disabilities and calls on the Council of the European Union and the European Commission to give disabled people particular attention in EU development cooperation policy throughout 2003 and to work with other international bodies, such as the WHO, UNDP and World Bank, to create joint plans to tackle disability issues;
8. Recognises that 2002 marks the year of the Second World Assembly on Ageing, and calls on the Council of the European Union and the European Commission to adopt the International Strategy for Action on Ageing by allocating sufficient means — both political and financial — and by giving older people particular attention in EU development cooperation policy;
9. Recognises that the HIV/AIDS pandemic is removing the generation of support who would otherwise be caring for older people, thus requiring the latter to find ways of earning a living to provide for themselves and their grandchildren, and urges the EU and international agencies to address this growing problem;

10. Calls on the Council of the European Union and the European Commission to review its commitment to the International Development Targets and ensure the poverty of disabled people and older people is included in the setting of benchmark indicators and the design of poverty alleviation strategies;
11. Calls on the EU and WHO to work with ACP partners in the mapping of health indicators for older and disabled people and of health determinants as to the causes of illness and disability;
12. Calls on the EU institutions to support the African Decade of Disabled People (1999-2009) by means of political and financial commitments;
13. Calls on the Council of the European Union and the European Commission to include people with disabilities and older people in all relevant development cooperation policies and programmes, on the basis of the UN Standard Rules on the Equalisation of Opportunities for Persons with Disabilities and the UN Principles for Older Persons;
14. Considers that adequate monitoring and evaluation of commitments made to disabled people and older people in developing countries must be undertaken in cooperation with organisations for disabled people and older people, in order to properly assess levels of successful implementation;
15. Calls on the European Commission to produce a communication on the needs of disabled people and older people in development cooperation;
16. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the WHO, the UNDP and the World Bank.

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#### RESOLUTION <sup>(1)</sup>

##### on HIV/AIDS

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - having regard to its earlier resolutions on AIDS,
  - having regard to the resolution of the Council of Development Ministers on 10 November 2000 on communicable diseases and poverty,
  - having regard to the major international conferences on AIDS and communicable diseases and in particular to the Extraordinary Session of the UN General Assembly in June 2001,
  - having regard to the European Parliament's report on communicable diseases adopted in Strasbourg on 4 October 2001,
- A. whereas the scale and spread of the HIV/AIDS pandemic, tuberculosis (TB) and malaria in developing countries is cancelling out their development efforts by undermining their political, social and economic structures, since 35 million AIDS sufferers in developing countries are condemned to die if they do not have access to treatment soon,
- B. whereas HIV/AIDS has reached pandemic proportions, killing about 10 000 people each day, and has already orphaned over 13.2 million children, and in some countries HIV/AIDS-related treatment costs will soon absorb over half their health budgets as four million people in sub-Saharan Africa were newly infected with HIV in 1999,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

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- C. whereas access to health care is part of the Universal Declaration of Human Rights and inability to secure treatment through lack of access to medicines and social exclusion, especially of women, destabilises families, precipitates poverty and undermines the political stability of poor countries,
- D. welcoming the creation of a Global AIDS and Health Fund, announced at the Extraordinary UN General Assembly on AIDS in June 2001, which seeks to boost considerably the funds allocated for the prevention of, and access to, treatment for AIDS, TB and malaria,
- E. whereas an interim working party headed by Dr Crispus Kiyonga, the former minister of health of Uganda, and including representatives of countries of the North and the South as well as leaders of the relevant NGOs, has been set up to make proposals on areas of intervention for the Global Aids and Health Fund, its financing arrangements, its structure and the forms its intervention could take,
- F. stressing that only a comprehensive programme of prevention based on a global investment by the international community can relieve the poor of the scourge of HIV/AIDS, TB and malaria, and calling for more efficient use of available funds based on a coordinated effort by the EU, UN agencies, civil society, NGOs and private sector organisations to fight communicable diseases,
- G. whereas comprehensive measures to fight HIV/AIDS have not been implemented as social, cultural and religious traditions pose problems for some governments,
- H. whereas the Commission's February 2001 communication on a programme of action includes a commitment to tiered pricing where developing countries pay the lowest possible price for medicines, an acknowledgement of the possibility of exploring the best use of compulsory licensing systems and a commitment to launch a debate in the WTO on reconciling the TRIPS agreements with the objectives of health protection in developing countries,
- I. whereas Article 31 of the TRIPS Agreement permits a country to enact national laws permitting the use of patented product without the authorisation of the patent-holder (compulsory licensing) under certain specified circumstances),
- J. whereas the meeting of the TRIPS Council on 19-21 September 2001 did not succeed in eliminating all the ambiguities and differences, particularly on the arrangements for the application of the safeguard clauses laid down in Article 31 of TRIPS,
- K. regretting that the WTO's draft Ministerial Declaration on intellectual property, access to medicines and public health issued on 22 October 2001 does not reflect the position expressed by the developing countries, in that it does not conform with either the letter or the spirit of their draft declaration published on the occasion of the TRIPS Council on 19 and 20 September 2001,
- L. noting with concern that the external debt and the structural adjustment programmes imposed by the industrialised countries to pay it off have impoverished the developing countries and considerably weakened the public education, health and research sector in most of the developing countries,
- M. whereas pharmaceutical companies must continue to explore ways of reducing prices and maintain supply of anti-retroviral drugs and medication for TB and malaria,
- N. whereas only 10 % of global research and development is directed towards illnesses that account for 90 % of the worldwide disease burden,
- 1. Recalls that effective and coherent action to combat AIDS and the communicable diseases by which the developing countries in particular are afflicted must involve:

- prevention, which must take the form of information and education campaigns (stressing the crucial importance of involving women, in view of their preponderant role in health education), immunisation programmes and the promotion of better living conditions,
- treatment, which implies access to medicines — including anti-retroviral medicines — and the availability of health structures and staff,
- research on effective vaccines and medicines appropriate to the needs of developing countries;

2. Welcomes the forthcoming launch of the Global Aids and Health Fund and the public or private financial contributions already announced; and believes that a global approach and fund financed by G8 and oil-rich nations are essential to fight HIV/AIDS, TB and malaria and are urgently needed in sub-Saharan Africa if the spread of these diseases is to be halted and reversed by 2015;

3. Welcomes the Commission's announcement of an initial contribution of EUR 120 million to fund the initial activities of the Global Aids and Health Fund programme, but stresses that this contribution should on no account be deducted from other appropriations for development and should be entered in the 2002 draft budget under a specific heading seeking to confirm its permanent nature;

4. Considers it essential that this fund should be operational as soon as possible, and at any rate before 15 December 2001 (the deadline after which the Commission will no longer be able to commit its contribution to the 2001 budget), and should be given clear and transparent procedures to permit the flexible and rapid funding of its activities on the ground;

5. Calls for the definitive structure of the Global Aids and Health Fund and the membership of its statutory bodies to respect the principle of equal representation between North and South and guarantees representation by NGOs from the North and the South involved in the fight against AIDS and the improvement of public health;

6. Considers that the criteria for the eligibility of countries and projects under the Global Aids and Health Fund must meet the essential requirement of giving the widest possible access to preventive action and treatment;

7. Encourages economic and business leaders to build on the recently created United Nations Global Compact and to work with the International Partnership Against AIDS to address jointly the social, economic and political problems brought about by AIDS by contributing to the Global Aids and Health Fund programme;

8. Recognises and supports the work being done by the United Nations Joint Programme on HIV/AIDS and urges the Commission and EU Member States to cooperate closely with UNAIDS and all international donors who are active in the fight against AIDS, such as the World Bank, Unicef, UNDP, UNFPA, UNDCP, Unesco, WHO and the EU, to coordinate policies and adopt a uniform approach and ensure that structural adjustment programmes take the HIV/AIDS pandemic into account;

9. Stresses that the Commission and EU Member States cooperate effectively and share expertise, political and financial commitments; and calls on ACP countries intending to make infrastructure improvements not to cut expenditure on health and education budgets but to allocate an appropriate level of national resources to health;

10. Stresses the need to guarantee in the long term increased and reliable funding — including access to EU Research Funds — for R&D programmes on AIDS, malaria, TB and all diseases which particularly affect the countries of the South (sleeping sickness, leishmaniosis, etc.);

11. Calls on governments in the developing world to allocate an appropriate level of national resources to build health infrastructure to provide bioanalytical laboratories for diagnostic testing, train medical technicians and establish day care centres in rural areas to scan, diagnose, monitor and record patients suffering from HIV/AIDS, TB and malaria;
12. Calls on the Commission to ensure African governments urgently plan and allocate resources for comprehensive national AIDS programmes coordinated within their geographic region to have the maximum impact on migrating populations requiring access to basic health — including reproductive health — and education services; and urges the Commission and EU Member States to help developing nations strengthen their legislation to protect AIDS victims from social and employment related discrimination;
13. Urges EU Member States to cancel third world debt for those countries willing to increase investment in their health and education budgets since Africa alone pays the world's richest nations annually USD 15 billion in debt repayment whilst the total domestic and international spending on AIDS is just USD 300 million;
14. Calls on the Commission and on the Member States to pursue a policy appropriate to the cancellation of the debt of developing countries and to stop imposing directly, or influencing the imposition of, structural adjustment programmes, which impoverish developing countries and prevent them from combating major epidemics;
15. Calls for a special programme of AZT treatment for infected women and their new-born infants, since most of the latter can be spared HIV infection, provided that they also receive special aftercare;
16. Calls on the Commission to monitor closely trials of new AIDS, TB and malaria vaccines and to encourage continued research into other potential vaccines against communicable diseases; and calls on the Commission, WHO and UNAIDS to support the International AIDS Vaccine Initiative, to investigate ways of making anti-AIDS drugs available at lower prices in developing countries;
17. Calls for the forthcoming review of TRIPS to include a comprehensive assessment of its effects on the affordability and availability of medicines in developing countries; calls on the EU and its Member States to defend within the WTO the right of developing countries to produce, market and import affordable medicines, and a harmonisation of the TRIPS regime with the Convention on Biodiversity;
18. Welcomes the TRIPS Council's recent acknowledgement that AIDS and other pandemics can be deemed to be 'national emergencies' within the meaning of TRIPS, but stresses at the same time that specific declarations and clarifications are needed at the WTO Summit in Qatar, and calls in particular for specific confirmation that, within the framework of compulsory licences, production of medicines may take place in a third country;
19. Urges the Member States of the EU and the European Commission to express their clear and unambiguous support for the position of the developing countries on the interpretation of the TRIPS agreement, by incorporating into the Ministerial Declaration to be adopted by the WTO in Doha a specific acknowledgement that recourse is permitted to the safeguard clauses contained in the TRIPS agreement, and confirming in particular that nothing in the TRIPS agreement must be used to prevent WTO members from taking measures to protect public health (paragraph 1 of the developing countries' draft declaration) and that no proceedings may be brought before the WTO against countries having recourse to these safeguard clauses;
20. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the UN Secretary-General, the World Health Organisation, the World Trade Organisation, UNAIDS, the UNDP, UNICEF, the UNFPA, the UNDCP, UNESCO, the World Bank, the OECD, the Council of Europe, the European Investment Bank and the World Economic Forum.



**RESOLUTION<sup>(1)</sup>****on WTO negotiations**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - having regard to its previous resolutions on WTO negotiations,
- A. whereas international trade has made a major contribution to job and wealth creation; however the benefits have not been evenly spread; the least developed countries' share of world trade has declined and many developing countries are encountering export problems such as high tariffs, quotas and limited capacity in information and communication technologies,
- B. whereas freer but also fairer and more sustainable world trade must be consolidated under the multilateral system and within a reformed WTO; whereas a rule-based system is the only way of ensuring in a peaceful and equitable manner that its benefits accrue to all nations; whereas international rules and institutions are required to deal with the interaction between trade and other areas such as the environment, health or social standards,
- C. whereas the multilateral trade system is based on the GATT rules, drawn up in 1947, whose preamble says that 'relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living, ensuring full employment...' and the agreement goes on to state that 'the attainment of these objectives is particularly urgent for less-developed contracting parties', and the preamble to the 1994 agreement establishing the WTO added that these objectives must be pursued 'in accordance with the objective of sustainable development, seeking both to protect and preserve the environment',
- D. whereas the new Partnership Agreement emphasises the importance of trying to make the WTO rules more flexible so that they take into account the relative level of development of the ACP countries,
- E. whereas ACP and EU efforts in international forums and in connection with international agreements need to be strengthened and coordinated with a view to making the ACP countries sufficiently competitive to enter the international market,
- F. whereas the objective set out in the preamble to the WTO constituent agreement (higher living standards, full employment and the promotion of sustainable development) and the WTO's own action plan for LDCs demonstrate that there is a legitimate need for poor countries to be treated differently, for which reason a change to the rules is essential if the above objectives are to be achieved,
- G. having regard to the importance of concluding alliances between the ACP countries and the EU in order to ensure substantial flexibility in the interpretation and implementation of WTO rules, so that full account is taken of development interests and the ACP countries' problems and so that commitments relating to special, differentiated treatment are actually honoured,
- H. whereas, according to the 2001 UNDP report, one of every five of the world's inhabitants — 1,2 billion — lives on less than one dollar per day and whereas there are over 50 countries whose per capita income is lower today than it was 10 years ago,
- I. whereas ACP states have a very limited share of import markets and of global trade, with most having a share of world merchandise trade of less than 0,05 %,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).



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- J. whereas small developing economies, especially small islands, have no capacity to distort international trade,
- K. whereas Annex VII of the WTO agreement on subsidies and compensatory measures provides that only those countries with a lower relative level of development (with a per capita income of less than USD 1 000 per year) may keep incentives in place,
- L. whereas there is a great need to enhance the participation and influence of legislators in the work of international organisations such as the WTO,
- M. whereas the WTO is an intergovernmental organisation which is in principle run entirely by its Member States, but in fact some of them are marginalised because of non-inclusive working methods or because they are not, or not effectively, represented in Geneva owing mainly to insufficient technical assistance and funding,
- N. whereas implementation of the Uruguay agreements has given rise to serious disappointment in the developing countries because of the conditions for application of the agreements by the industrialised countries and by the developing countries respectively, the cost of applying certain agreements, and the non-participation of many developing countries in decision-making within the WTO,
- O. mindful of the recent initiative by the WTO Director-General to set up an advisory group of experts tasked with drawing up reform proposals,
- P. whereas the first few years of operation of the WTO have given rise to considerable public concerns, which were expressed at the Seattle Conference, with regard to the taking into account in trade policy of issues such as environmental protection, observance of the precautionary principle, compliance with social standards, access to medicines for AIDS patients in the developing countries or the limits to the marketing and patentability of living organisms in particular,
- Q. mindful of the ILO Director-General's proposal of 11 June 2001 to set up a commission on the social dimension of globalisation which will be established after the ILO's final decision in November 2001,
- R. whereas clarification is needed on some clauses of the agreement on services, to make clear that WTO rules do not impede the right of Member States to regulate and intervene in services of general interest,
- S. whereas Article 177 of the EC Treaty refers to solidarity with the developing countries and the European Union must make an effective contribution to defining the outlines of a form of governance for development involving rapid reforms to WTO rules,
1. Notes that the world trade system currently suffers from unequal participation, the uneven distribution of the benefits of world trade, the ambiguity of some of its rules and their impact on non-trade issues, a lack of internal and external transparency, and a low level of involvement of parliaments and civil society in the work of the WTO; insists that broader reform is needed than has so far taken place;
  2. Considers it logical therefore that the necessary reforms should be carried out before any new issues are added to the WTO agenda;
  3. Notes that the WTO is not the only component of the world trade system, considers that the same principles of openness and democracy should be applied *pari passu* to regional and bilateral trade agreements and calls on the Commission to observe such principles in all its bilateral and international trade negotiations;

**Legitimacy, equal participation, internal transparency, capacity building**

4. Points out that the democratic legitimacy of the WTO, an intergovernmental organisation, in principle relies firstly on the equal participation of all members in decisions; notes, however, that none of the 24 developing countries that are WTO members have a permanent representation at WTO headquarters in Geneva and that many other countries have only very small delegations which do not enable them to follow all the work that concerns them; considers it vital to remedy this marginalisation and to ensure effective participation of all members in the working of and in decision-making within the WTO;

5. Notes also that many negotiations take place in small groups from which poor countries are in reality excluded;

6. Is concerned at the difficulties encountered by non-member LDCs involved in accession procedures and at the level of commitment demanded of them which is higher than that of existing member countries; asks the Commission to revive its proposal for a fast-track accession procedure;

7. Calls on the Commission and the EU Member States to support the efforts of the developing countries, specially the LDCs, to set up joint permanent regional representations at the WTO and to continue to provide support in this respect to the ACP countries and to resource centres such as the 'Advisory Centre on WTO law';

8. Calls on the Commission to propose, on behalf of the EU, to mainstream existing trade-related technical assistance, to identify the gaps for developing countries and to strengthen the WTO's budget, on the basis of a contribution proportional to each member's share of international trade, to enable all members of the WTO to have fair representation in Geneva and to increase the resources available for technical assistance to developing countries and, in particular LDCs;

9. Calls for a commitment by the world leaders gathered at the WTO to coordinate measures to help developing countries tackle the impediments to growth in their trade as regards flows of information, protection of property rights, institutions for efficient repayment of loans, access to the judicial system for the poor and illiterate, access to open bank accounts, non-bureaucratic registration of companies and partnerships, and the lack of small business clubs at village and district levels to solve problems alongside national decision-makers;

10. Calls, pending permanent representation of all members in Geneva, for the strengthening of the existing early warning system, to be established to enable non-resident countries to be informed at a sufficiently early stage that new negotiations or decisions are to be submitted to a particular body so that they can prepare themselves, and for the planning of meetings within the WTO to enable all delegations, even the smallest, to participate or to be represented; requests that all members should have rapid access to records of meetings of bodies (councils, committees, working parties, etc.) in which they have been unable to participate and to all the information they need to follow the work under way in the various bodies;

11. Calls for an explicit reference to the objectives of the eradication of poverty to meet the development target of the UN, the promotion of equitable and sustainable development and environmental protection to be inserted at the fourth Ministerial Conference in Doha in the preamble to the Agreement setting up the WTO;

12. Asks that the provisions on special and differentiated treatment in trade agreements for the promotion of certain specific interests of the developing countries and for the provision of technical assistance to these countries be made fully operational and made effective in order to preserve the ACP-EU *acquis*;

13. Calls on the Commission to ensure that the technical assistance and capacity building programmes within the 'Integrated Framework' help the LDCs not only to apply the agreements, but also to defend their interest better in negotiations from the point of view of their development strategy and to influence the formulation of trade policies; asks that the strengthening of analytical capabilities should be addressed as a matter of urgency in the first stages of new multilateral trade negotiations;

14. Asks the Commission to ensure better coordination between multilateral and bilateral donors, particularly EU Member States, in the area of technical assistance to the developing countries;

15. Regards the WTO dispute settlement system as a particularly sensitive element of the trade system and international relations; is concerned at the growing number of disputes and is convinced that political relations between countries cannot totally be replaced by judicial relations and invites parties involved in trade disputes to try to find political solutions and compromises; proposes in this connection that Article 7 of the Dispute Settlement Understanding be revised to encourage compensation schemes, including temporary ones, rather than recourse to sanctions;

16. Draws attention to the inequalities between member countries with regard to the sanction established by the dispute settlement system; proposes therefore that Article 7 of the disputes settlement agreement be revised to encourage the use of financial compensation schemes to remedy these inequalities;

17. Is concerned that a lack of clarity in some parts of the WTO agreements has led to an excessive reliance on the disputes procedure to interpret and clarify agreements; therefore calls for clearer agreements, to allow the disputes procedure to operate more predictably on the basis of texts negotiated by governments and ratified by parliaments;

18. Calls on the EU to propose to other members the establishment of clear rules on informal consultations: the latter should be initiated by the chairman of a WTO body or its DG, the agenda and list of participants should be distributed to all members and no country should be excluded if it wishes to participate; calls for sufficient time for all delegations to undertake consultations with capitals and for the results to be the subject of a formal report to the relevant WTO bodies and communicated to all members which would increase the balance between transparency and efficiency;

19. Notes that the TRIPS agreement is the only WTO agreement containing substantial provisions enjoining, like a 'directive', the WTO member countries to amend their internal legislation in an area under their national jurisdiction;

20. Underlines the importance of an intellectual property system that encourages technology transfer towards developing countries with particular reference to the knowledge-based society; is well aware, however, of the difficulties faced by developing countries in implementing the TRIPS Agreement and reiterates therefore its call on the WTO and the Commission to step up technical assistance in this area and calls also for a detailed re-examination of the impact of the TRIPS agreement on developing countries, including its effect on the transfer of technology, access to medicines and the protection of traditional knowledge, and its conformity with the Convention on Biodiversity and the Protocol on Biosafety;

#### **External transparency and openness**

21. Considers that transparency in the formulation and conduct of trade policy is a legitimate demand of society, citizens and parliamentarians;

22. Points out that within the WTO a general rule of openness should apply, meaning that the vast majority of documents should be derestricted and published on the WTO website, and supports the Commission proposal that all documents, records and decisions should be published;

23. Advocates, in the dispute settlement procedure, that substantive meetings with the parties, meetings of panels and the appellate body, given the judicial nature of the procedures, should in future take place in public, as is customary in court proceedings, and documents, in particular submissions by parties or experts, should be made available to the public, except in rare, duly substantiated, exceptional cases; calls for the creation of a legal aid office financed from the WTO budget to assist the least well represented countries in acceding to the Dispute Settlement Body (DSB);

24. Insists that some external bodies such as the Codex Alimentarius, on which the WTO relies for external advice, also require radical reform to restore public confidence and meet elementary standards of openness;

#### **Parliamentary and public scrutiny and parliamentary forum**

25. Proposes once again the creation of a parliamentary assembly within the WTO with consultative powers and instructs its delegation to the WTO Ministerial Conference in Doha to organise, in close cooperation with other parliamentary organisations, a meeting of the parliamentarians present to promote this initiative;

26. Stresses the need for a provisional infrastructure for the parliamentary assembly until the WTO assumes its responsibilities in this respect and, at the same time, offers the necessary facilities for this purpose;

27. Considers that it is also important to develop political debate at national parliamentary and existing regional assembly level and stresses, therefore, the central importance of participation of parliamentarians in the decision-making process in order to carry out effective democratic control;

28. Considers that the Trade Policy Review Mechanism (TPRM) in its current form does not satisfy the requirements of informed public debate; advocates therefore reform of the TPRM to include the social, environmental and development impact of trade policies and an evaluation of how trade policy is formulated and monitored, including the role of parliaments and civil society;

29. Considers that it is essential, not least for the WTO's legitimacy, that its rules should not prevent member countries from pursuing independent and ambitious policies and their parliaments from legislating freely and legitimately in the areas of public health, environmental and consumer protection, and the cultural and education spheres, but such policies should not lead to arbitrary erection of trade barriers, where such barriers are not necessary to achieve public policy objectives;

30. Calls for clarification of the scope of the General Agreement on Trade in Services (GATS) to ensure adequate protection that public and social services remain the legitimate concern of governments and calls on the Commission to deliver a political declaration clearly guaranteeing the protection of public and social services under national and regional jurisdiction;

#### **Coherence and new international architecture**

31. Calls for the WTO's cooperation with other multilateral organisations to be strengthened, in particular with organisations responsible for social and environmental standards; requests that such organisations be granted observer status within the WTO and that arrangements be established to allow them to participate in WTO bodies; calls for the establishment of clear rules on the relationship between WTO Treaties and Multilateral Environmental Agreements (MEAs) such that WTO rules do not constitute an obstacle to the implementation of MEAs;

32. Calls for the dispute settlement procedure to be revised to provide that, in cases involving non-trade issues covered by other international conventions, the panels or the appellate body should seek the opinion of the relevant international organisations and that this opinion should be published and appended to the ruling;

33. Calls for the WTO and the United Nations to examine new relations between international organisations so as to ensure coherence in international regulatory agreements and conventions;

34. Recommends the strengthening of the trade-related competences of other international bodies, such as the FAO, WIPO, the ILO, the WHO and the MEA secretariats, in order to reconcile better trade considerations and international environmental, health and social standards;

35. Invites the Commission and ACP and EU Member States, with a view to the fourth WTO Ministerial Conference in Doha, to propose the setting up of a working party within the WTO charged with submitting proposals for reform of the functioning of the WTO to the General Council and members as soon as possible; calls on the Joint Parliamentary Assembly standing committee on trade matters to provide input into the WTO negotiations;

36. Calls on the Commission, and ACP and EU Member States to urgently take necessary action with a view to obtaining, as soon as possible and at best before the fourth WTO Ministerial Conference in Doha, a WTO waiver in respect of the ACP-EU Partnership Agreement;

37. Urges the ACP countries — assisted by the Commission and the EU Member States — to create the conditions necessary for free and fair trade to succeed by establishing the rule of law, good governance, democracy, and respect for human rights and individual freedoms;

38. Asks the Commission to undertake and to publish an assessment of the impact on ACP economies (job creation, health, education, environment, etc.) of the current liberalisation of trade and future benefits of any agreement reached in Qatar;

39. Welcomes the Council's Regulation on 'Everything But Arms' and calls on other developed countries and trading blocks to follow the EU's lead so that world markets become genuinely open to trade, taking into account existing preferential trade agreements, particularly Annex XXIII of the ACP-EU Partnership Agreement on the need to safeguard the benefits ACP states derive from their trading arrangements with the EU;

40. Insists that pressure be maintained for the admission of new members to the WTO, so that the WTO does not become an instrument of global economic differentiation but evolves into a truly global guarantor of international trading standards;

41. Affirms that WTO rules should take into account the right of developing countries to implement national and/or regional agricultural policies which promote food security and other non-trade concerns;

42. Calls for the WTO to recognise the constraints on vulnerable small island countries, and allow for special and differential treatment for such countries;

#### **Free Zones**

43. Calls on the WTO member countries to allow the ACP countries to continue granting fiscal measures intended to promote development, including those provided in free zones and through other fiscal incentive schemes, until 2015 by adopting a binding ministerial decision at the Fourth Ministerial Conference which is to be held in Doha (Qatar) from 9 to 13 November 2001, on the understanding that this is not a derogation of international labour, environmental and human rights standards;

#### **Implementation and Related Issues**

44. Reaffirms that trade preferences remain crucial to increasing ACP countries' shares in international trade and that they should continue to be meaningful, secure and predictable;

45. Stresses the need to address the specific problems and inherent constraints of small economies and of vulnerable island and land-locked ACP states, which are increasingly being marginalised; considers that the Doha WTO Ministerial Declaration and decisions should reflect their needs, address their specific problems and agree on the relevant work programme;
46. Affirms that nothing in the TRIPS Agreement should prevent developing countries from taking measures for the protection of public health and ensuring affordable access to essential medicines and life-saving drugs;
47. Expresses its deep disappointment at the lack of meaningful progress on the implementation issues which are important for the developing countries, particularly the ACP states, and therefore calls on the fourth WTO Ministerial Conference to address these issues and adopt the necessary decisions in Doha, Qatar, including the removal of existing imbalances arising from the Uruguay Round Agreements and the effective implementation of the Marrakesh decisions;
48. Supports the establishment of mechanisms to effectively address issues such as trade and debt, trade and finance, trade and transfer of technology, that have been raised by developing countries in the preparatory process for Doha;
49. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN Secretary-General, the WTO, the World Bank, the IMF and the European Investment Bank.

# RESOLUTION <sup>(1)</sup>

## on rum

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - having regard to previous ACP-EU Joint Assembly resolutions on rum adopted on 23 March 2000 in Abuja, 14 October 1999 in Nassau, 1 April 1999 in Strasbourg, 23 April 1998 in Port Louis, 20 March 1997 in Brussels, 3 February 1995 in Dakar and 6 October 1994 in Libreville,
  - having regard to the resolutions on rum adopted on 13 October 2000 and 22 March 2001 at its first session in Brussels and its second session in Libreville,
  - having regard to the trade development objectives of the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000,
- A. recalling the Partnership Agreement's recognition of the importance of the commodity protocols and of safeguarding the benefits derived therefrom as well as its recognition that the process of liberalisation could lead to a deterioration in the relative competitive position of ACP states and could threaten their development efforts,
- B. noting the EU's commitments in the Partnership Agreement to being as flexible as possible in respect of its involvement in the pace and nature of the ACP's transition and integration into the world economy so as to protect ACP economies in the face of rapid and increasing globalisation,
- C. emphasising that Declaration XXV — the Joint Declaration on Rum — of the Partnership Agreement recognises the importance of the rum sector for the economic and social development of several ACP countries and regions and the unique challenges it faces resulting from the European rum market's liberalisation outside the post-Lomé agreement,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

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- D. also recalling the EU's commitments in the above mentioned Declaration to providing rapid and sufficient special transitional support during the period 2000-2008 for an integrated sector-specific programme to enable ACP rum exporters to increase competitiveness and assist the ACP rum industry to move out of bulk commodity production into higher value branded rum products to allow exporters of ACP rum to compete on the Community and the international spirits markets,
- E. emphasising the precedent-setting nature of the ACP rum industry's experience as the first ACP industry in economic transition, the preparedness of the EU to provide support, and the positive indication that rapid delivery and a successful outcome will provide to other ACP industries in economic transition after 2008 as they move towards new WTO-compatible trade reciprocity with the EU,
- 1. Expresses concern at the fact that the Financing Proposal in respect of the programme to develop the competitiveness of the Caribbean rum industry in accordance with the political commitments agreed in Declaration XXV of the ACP-EU Partnership Agreement was submitted to the European Development Fund Committee for approval on 20 September 2001 and was withdrawn;
- 2. Urges the European Union and its Member States to approve the financing proposal without further delay and to take full cognisance of the fact that as the European Union's rum market will be liberalised on 1 January 2003 there is very little time left in which to even begin to put the Caribbean rum industry on a competitive footing;
- 3. Notes with concern in the context of EU enlargement that a product described as rum, but not conforming to the definition of rum as contained in Article 4 of Council Regulation (EC) No 1576/89, is produced in Cyprus, the Czech Republic, Hungary, Poland and Slovakia and reiterates the necessity of strict enforcement without derogation or other variation of this rule limiting commercial use of the term 'rum';
- 4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

#### RESOLUTION <sup>(1)</sup>

##### **on the special situation of BLNS countries (Botswana, Lesotho, Namibia and Swaziland) in future trade negotiations**

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Brussels (Belgium) from 29 October to 1 November 2001,

- A. noting that the Southern African Customs Union (SACU) between Botswana, Lesotho, Namibia, Swaziland and South Africa is one of the longest lasting and deepest regional integration arrangements in Africa,
- B. taking note of and welcoming the progress made in renegotiating a new mutually beneficial agreement between the SACU partners,
- C. taking note of and appreciating the fact that the Commission has acknowledged that the bilateral Trade Development and Cooperation Agreement with South Africa places the other SACU partners, Botswana, Lesotho, Namibia and Swaziland (BLNS countries) in a position that differs in important respects from that of other Cotonou countries,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).



- D. noting in particular that while the Cotonou Agreement sets out a number of different options for future ACP-EU trade relations, none of these options applies to BLNS countries, who by virtue of their membership of SACU find themselves obliged to implement the reciprocal trade obligations applicable to South Africa under the terms of the TDCA,
- E. believing that this means, in particular, that BLNS will find themselves
- facing the introduction of free trade with the EU far faster than any other ACP country (by 2012 instead of 2020),
  - facing a free trade area agreement which was not designed primarily with their economic structures and levels of development in mind,
  - subjected to a far greater degree of free trade in their relations with the EU (86 % of currently traded goods) than appears likely to be the case for other ACP countries,
  - subjected to free trade with the EU without any corresponding improvement in access for BLNS exports to the EU market in areas of immediate benefit,
  - facing significant fiscal revenue losses as a result of the elimination of tariffs on trade with the EU,
- F. further noting that, if the existing provisions for access to the EU market of the EU-South Africa TDCA were simply extended to BLNS economies after 31 December 2007, then they will face a loss of trade preferences and the reintroduction of import duties on a substantial proportion of the goods they currently export to the EU,
1. Therefore calls on the EU to:
    - (a) Take immediate steps, in consultation with BLNS, to establish an appropriate institutional mechanism to address the particular concerns of BLNS;
    - (b) Establish mechanisms to consolidate existing BLNS trade preferences beyond 2007 and bring about an immediate improvement in access for BLNS exports to the EU market in areas of real benefit;
    - (c) Establish mechanisms for direct consultations with BLNS governments on areas of concern in the introduction of duty-free access for EU exports;
    - (d) Make firm and binding commitments on assistance with fiscal restructuring in BLNS commensurate with the revenue losses arising as a result of the implementation of the EU-South Africa TDCA;
    - (e) Revise the Economic Integration Support Programme for BLNS so as to remove the linkage between the release of the funds and BLNS concurrence under the provisions of the SACU agreement and to provide for decentralised implementation in each of the BLNS countries in ways appropriate to the particular circumstances faced in each country;
  2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.



**RESOLUTION<sup>(1)</sup>****on sugar**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - having regard to its resolution on sugar adopted at its second session in Libreville from 19 to 22 March 2001,
  - having regard to the adoption on 19 June 2001 by the European Council of the common organisation of the market in the sugar sector, in particular the renewal of the EU sugar regime for a further period of five years,
- A. stressing that the parties to the Marrakesh Agreement establishing the World Trade Organisation recognised that their relations in the field of trade and economic endeavour should be conducted with a view to, inter alia, ensuring full employment and sustainable development while seeking to protect and preserve the environment and recognising the need for positive efforts to ensure that developing countries secure a fair share in the growth of international trade,
  - B. reiterating that the ACP Sugar Protocol is an integral part of the EU sugar regime and the Protocol quantities are bound in the EU's WTO commitments, thereby providing legal security of access to ACP Protocol Sugar into the EU,
  - C. noting that the ACP sugar-supplying states are either least-developed, developing, net-food-importing, vulnerable, landlocked or island states with specific economic and social difficulties which rely on sugar revenue for their socio-economic development,
  - D. recognising that the inherent natural, physical and structural constraints do not generally allow for horizontal diversification of their agriculture and the topography of most ACP sugar-supplying states does not lend itself to other crops, and all adversely affect the competitiveness of ACP sugar industries,
  - E. emphasising that ACP sugar-supplying states have been utilising the vital foreign exchange earnings from exports to the EU in their rationalisation programmes to improve efficiency, increase productivity and generally help maintain their level of competitiveness,
  - F. noting the ongoing agriculture negotiations under Article XX of the WTO Agreement on Agriculture which have to take into account, inter alia, non-trade concerns, special and preferential treatment of developing countries and the objectives of establishing a fair and equitable market-oriented agricultural trading system,
  - G. acknowledging that ACP sugar-supplying states have also made judicious use of the earnings from sugar exports to the EU to optimise the use of by-products and moreover promote meaningful diversification in other sectors of their economies,
  - H. recognising the multifunctional role that the sugar industry plays in ACP supplying states as a major employer and its contribution to environmental protection and rural development,
  - I. welcoming the successful conclusion between the European Union and the ACP sugar-supplying states of a new Special Preferential Sugar Agreement (SPS) for the period 2001-2006, which will help to increase export earnings, and partly contribute towards alleviating the negative effects resulting from the EU's restrictive pricing policy since 1986 and enhancing investments in the respective countries,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

- J. noting the adoption by the EU General Affairs Council on February 26, 2001 of the revised 'Everything But Arms' proposal and recalling the support of the ACP Ministers of Trade for the initiative, as contained in their Declaration of 12 December 2000, whilst insisting that it should respect existing agreements and take into consideration the special situation of vulnerable, small-island and landlocked states,
- K. deeply concerned that the SPS quantities under the annual bilan have undergone and will undergo progressive deductions as a result of the EBA initiative, thus depriving ACP sugar-supplying states of variable export earnings for their developmental needs,
- L. having regard to Article 38 of the Cotonou Partnership Agreement, wherein both parties agreed to pay special attention to current multilateral trade negotiations and to examine the impact of the wider liberalisation initiatives on ACP-EC Trade and the development of ACP economies, and make necessary recommendations with a view to preserving the benefits of ACP-EU trading arrangements, as well as the terms of reference of the ACP-EU Joint Ministerial Trade Committee which was set up in May 2001 under Article 38 of the Cotonou Agreement,
- M. also recalling the Joint Declaration (Annex XXIII) on market access of the Cotonou Partnership Agreement by which the parties agree to examine all measures in order to maintain the competitive positions of the ACP states on the Community market, and wherein the Council of the European Union underlines its obligation to take into account the effect of any agreement or other measures to be taken by the EC on ACP-EC Trade,
1. Calls on the European Union to:
    - (a) Ensure that every effort is made to defend, maintain and honour the commitments given to the ACP under the Sugar Protocol and the Special Preferential Sugar Agreement;
    - (b) Consider the significant and vital contribution that predictable and stable earnings derived from sugar exports have made to economic development and poverty alleviation and the fight against social exclusion resulting from globalisation in ACP supplying states and the promotion and sustenance of democracy and the respect for human rights and fundamental freedom;
    - (c) Acknowledge the multifunctional nature of sugar, particularly its role in environmental protection and rural development in ACP sugar-supplying states;
    - (d) Honour its obligations in accordance with the provisions of Article 38 and the Joint Declaration XXIII of the Cotonou Agreement;
    - (e) Recognise the need to adopt urgently positive measures to address the adverse effects of the implementation of the 'Everything But Arms' initiative on several non-LDC ACP sugar exporting countries, and urgently examine ways and means to share more equitably the burden of the implementation of the EBA initiative on the sugar sector;
    - (f) Acknowledge also the contribution of ACP sugar industries to the EU refining industry and, moreover recognise the mutual benefit to the parties derived from the Sugar Protocol and Special Preferential Sugar Agreement;
  2. Calls on the Commission of the European Communities and the ACP General Secretariat to review in accordance with Annex XVIII of the Cotonou Agreement the situation created by the EBA and accordingly make recommendations to the next meeting of the ACP-EU JMTC and Council;
  3. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the ACP General Secretariat.

**RESOLUTION<sup>(1)</sup>****on the fight against terrorism**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brussels (Belgium) from 29 October to 1 November 2001,
  - having regard to Security Council Resolution 1368 (2001) of 12 September 2001,
  - having regard to Security Council Resolution 1269 (1999) of 12 September 1999 condemning all acts of terrorism, irrespective of motive, wherever and by whomever committed, and reaffirming that the suppression of international terrorism, including that in which states are involved, is an essential contribution to the maintenance of international peace and security,
  - having regard to UN Security Council Resolution 1373 (2001) of 28 September 2001,
  - having regard to the European Parliament recommendation of 5 September 2001 on the role of the European Union in combating terrorism,
  - having regard to the Africa-Europe Ministerial Conference of 11 October 2001,
- A. recognising that terrorism is manifested in violation of international law and customary practices,
  - B. deeply shocked by the murderous terrorist attacks on the World Trade Center in New York and the Pentagon in Washington, in particular, and previous terrorist attacks elsewhere in the world,
  - C. whereas these terrorist attacks, and terrorist activities in general, constitute a crime against humanity and the values of an open, democratic, multicultural society and, as such, are a threat to international peace, stability and security,
  - D. whereas combating terrorism first of all requires a criminal justice approach as well as a stronger crime prevention policy at international level; whereas it is necessary to ensure that such an approach is consistent with respect for the fundamental freedoms which form the basis of civilisation; whereas it is urgent for the international community to establish the International Court of Justice,
  - E. whereas the USA and the United Kingdom started military strikes against targets in Afghanistan which have been going on for the last four weeks and which entered a new phase on 20 October with the deployment of special forces for actions on the ground,
  - F. deeply concerned by the increasing number of casualties among the civilian population,
  - G. recognising the international community's determination to fight terrorism within the bounds of international human rights laws and principles,
1. Expresses its solidarity with the people and the Government of the United States and its sympathy with the injured and the bereaved families of the victims from the USA and many other countries who suffered as a result of terrorist attacks;
  2. Recognises the heroism displayed by the emergency services of New York and Washington, notably the fire fighters, many of whom gave their lives to save others, and commends the selfless courage of the passengers who overpowered the hijackers of the fourth plane at the cost of their own lives, but saving countless others;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 in Brussels (Belgium).

3. Condemns the shameless misinterpretation of Islam, a religion which is governed by a commitment to peace, by those who committed these murderous acts, and reaffirms that measures against terrorism should be reconciled with respect for fundamental freedoms and in this context expresses its full support for and solidarity with European Muslims and with Muslims in the ACP and EU countries;
4. Calls on the regime in Kabul to implement the Security Council Resolution demanding the handing over to international justice of those responsible for the attacks;
5. Calls for the continuation of political and diplomatic efforts to bring peace to Afghanistan and for the involvement of the women of Afghanistan in any resolution of the conflict and in all efforts to establish, and to participate in, a broad-based and representative post-conflict government;
6. Underlines that, independently of the current developments, the Afghan people are affected tremendously by international terrorism and the Taliban regime and calls therefore for a major humanitarian effort to be undertaken;
7. Calls on the Commission to assign particular priority to cooperation with the United Nations High Commissioner for Refugees in connection with the problem of Afghan refugees;
8. Believes that there is no cause or objective, however noble or sacred, that can validate the use of violence and terrorism against civilians and urges the international community to give a highest priority to addressing the political, economic and social problems of those countries that serve as hotbeds of regional conflict and terrorism due to the absence of accountable democratic government or the collapse of social, political or other forms of hierarchies;
9. Welcomes the declaration of the Africa-EU Ministerial Conference of 11 October to support the initiative of the QUA Summit in Algiers, in July 1999, which called for the convening of an International Conference on Terrorism under the auspices of the United Nations;
10. Welcomes Senegal's initiative in holding a conference in Dakar on 17 October 2001 for the adoption of a draft African pact against terrorism, and calls on the African states to ratify as soon as possible the Algiers Convention on combating terrorism adopted by the OAU Summit in July 1999;
11. Supports the call made by the European Union for the broadest possible coalition against terrorism under the aegis of the United Nations;
12. Shares the conclusion of the EU Council that the fight against terrorism will be all the more effective if it is based on an in-depth political dialogue with those countries and regions of the world in which terrorism originates and on continuing investment and support for conflict prevention activities, and insists that ACP and EU relations with third countries continue to be based on the essential principles of human rights, democracy and good governance;
13. Urges in particular the ACP and EU to step up their fight against uncontrolled and illegal arms exports and the world-wide proliferation of heavy weaponry and light weapons, as well as the fight against chemical and biological weapons;
14. Calls on the ACP-EU Council and EU Member States to cooperate with the Government of the United States on the basis of Resolution 1368 (2001) in finding the perpetrators, organisers and sponsors of the attacks as well as all those who protected them; considers that all actions have to be appropriate and targeted, avoiding damage to innocent civilians and their property;
15. Welcomes the renewed commitment by the European Council to bringing peace to the Middle East; demands in this context the prompt re-establishment of a dialogue between Israelis and Palestinians on the basis of all the recommendations outlined in the Mitchell report in order to reach a comprehensive settlement in accordance with the resolutions of the United Nations Security Council;

16. Takes the view that the strengthening of police and judicial cooperation, particularly for the purpose of fighting terrorism, must be accompanied by a strengthening of parliamentary and judicial control and maintained protection of fundamental rights and liberties;
17. Encourages the police forces and the intelligence services of the ACP and EU Member States to work closely together in trying to fight global terrorism and bring those responsible to justice;
18. Urges the international community to establish a strong mechanism that enables efficient exchange of information and expertise on terrorist acts and establish databases for the collection and analysis of information on terrorist groups, elements, movements and organisations, and opposition groups that are bent on terrorist methods of pursuing political objectives, and governments that support, fund and train groups to wage a proxy war against other countries;
19. Welcomes the calls by the European Council, the United Nations General Assembly and the OAU for the implementation of all existing international conventions on the fight against terrorism, and therefore calls on the ACP and EU Member States, where appropriate, to speed up the process of accession and/or ratification and effective implementation of the existing conventions on terrorism, including the International Convention for the Suppression of the Financing of Terrorism (1999), so far ratified by only one EU Member State;
20. Calls for the ratification of the statute of the International Criminal Court, linked to the United Nations system, with jurisdiction over the most serious crimes of concern to the international community as a whole;
21. Urges the ACP-EU Council to promote security measures with regard to all forms of public transport, particularly aviation and shipping, as well as with regard to industrial installations and nuclear power plants;
22. Calls on the relevant international organisations to present to the Joint Parliamentary Assembly a report on the effects of the terrorist attacks on the world economic situation;
23. Encourages the ACP and EU Member States to take joint measures to block capital movements funding terrorist networks and hopes that the financial markets will reorganise in such a way as to increase the role of the supervisory authorities and fight insider trading and money laundering; takes the view that banking secrecy should not stand in the way of investigations into the funding of international terrorism;
24. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Government and Congress of the United States of America.
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