



REPUBLIC OF KENYA



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Sen. Ketabi Gitura  
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ELEVENTH PARLIAMENT

(Third Session)

REPORT OF THE 38<sup>TH</sup> SESSION OF THE ACP PARLIAMENTARY  
ASSEMBLY AND THE 29<sup>TH</sup> SESSION OF THE ACP-EU JOINT  
PARLIAMENTARY ASSEMBLY

Grand Pacific Hotel

Suva, Fiji

10<sup>th</sup> to 17<sup>th</sup> June, 2015

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## **ABBREVIATIONS**

**ACP:** African, Caribbean and Pacific

**APF:** African Peace Facility

**ACP-EU JPA:** African, Caribbean and Pacific – European Union Joint Parliamentary Assembly

**ACP-PA:** African, Caribbean and Pacific Parliamentary Assembly

**APSA:** African Peace and Security Architecture

**AU:** African Union

**CAR:** Central Africa Republic

**EAC:** East African Community

**EDF:** European Development Fund

**EPAs:** Economic Partnership Agreements

**EU:** European Union

**GSP:** Generalised System of Preference

**IRP:** Intra Regional Programmes

**JPA:** Joint Parliamentary Assembly

**LDCs:** Least Developed Countries

**MDGs:** Millennium Development Goals

**MFN:** Most Favoured Nations

**NATO:** North Atlantic Treaty Organization

**UN:** United Nations

**WTO:** World Trade Organisation

## **PREFACE**

### **Mr. Speaker,**

The 29<sup>th</sup> Session of the ACP-EU Joint Parliamentary Assembly (JPA) took place from 15<sup>th</sup> to 17<sup>th</sup> June 2015. The JPA was preceded by Committee meetings that took place from 10<sup>th</sup> to 14<sup>th</sup> June 2015 and the plenary of the 38<sup>th</sup> Session of the African, Caribbean and Pacific (ACP) Parliamentary Assembly. All the meetings took place at the Grand Pacific Hotel, Suva, Fiji.

The Sessions and meetings were a follow-up to the 37<sup>th</sup> Session of the ACP Parliamentary Assembly and the Inter-Sessional meetings of the ACP-EU Joint Parliamentary Assembly that were held in March in Brussels, Belgium. Various resolutions on matters affecting the member States were adopted.

The Kenya delegation to this meeting comprised of the following:-

- (i) Hon. (Dr.) Joyce Laboso, M.P. – Leader of delegation
- (ii) Sen. Kembi Gitura, M.P.
- (iii) Hon. Abdikadir O. Aden, M.P.
- (iv) Mr. Martin Masinde – Senior Deputy Director, PBO
- (v) Ms. Caroline Kinyua – Delegation Secretary (Senate)
- (vi) Ms. Wanjiru Ndindiri – Delegation Secretary (National Assembly)

### **Mr. Speaker,**

The Joint Session was preceded by meetings of the three Standing Committees on Political Affairs; Economic Development, Trade and Finance and Committee on Social Affairs and Environment. They presented reports on topical issues such as *Cultural diversity and human rights in ACP and EU countries; Financing of investment and trade, including infrastructure, in ACP countries by the EU blending mechanism; and Challenges and opportunities in education and vocational training in ACP countries*. The reports were thereafter discussed in the

Joint Assembly, where they were adopted and resolutions made. The Committees also agreed on the topics for their next reports.

At the same time, the ACP Parliamentary Assembly (ACP-PA) held a meeting wherein it considered issues affecting member-states. The ACP-PA also adopted a resolution on *the Economic Partnership Agreements* and a Declaration on *the situation in Burundi*.

The Hon. Josaia V. Bainimarama, the Prime Minister of the Republic of Fiji hosted the ACP –EU Members to a Fiji traditional ceremony of welcome. He later officially opened the Assembly after some opening remarks by the Speaker of the Parliament of the Republic of Fiji, Hon. (Dr.) Jiko Luveni and the two ACP-EU Co-Presidents, Hon. Fitz Jackson and Hon. Louis Michel. The JPA dealt with major issues related to the ACP-EU partnership and made resolutions on the following: *Cultural diversity and human rights in ACP and EU countries; Financing of investment and trade, including infrastructure, in ACP countries by the EU blending mechanism; and Challenges and opportunities in education and vocational training in ACP countries*. Other topics that were debated without resolutions include: Natural resources; the Natural disaster in Vanuatu (and neighbouring states) the way forward including regional cooperation; Seas/Oceans (climate change, biodiversity, renewable energy, fisheries, maritime security and piracy, oil and minerals in seabed); Regional integration in the Pacific; the situation in the Central African Republic; Improving internal revenue generation capabilities in ACP states and building economic confidence through genuine participatory democracy. Further, there was a declaration by the Co-Presidents of the ACP-EU JPA on *the Central African Republic*.

At the JPA, Member States received responses to oral questions put to the EU Commission and the EU Council.

**Mr. Speaker,**

The Kenya delegation participated actively in all the deliberations and issued statements with regard to the topics that were under discussion that fed into the

final reports and resolutions that were taken. Kenya particularly issued statements on the following: Security situation in Kenya; Financing for investment and trade, including infrastructure in ACP countries by the EU blending mechanism; Regional integration in the pacific; Cultural diversity and human rights in ACP countries; European Development Fund; Evaluation of the Africa Peace Facility (**Appendix 3**). The JPA also discussed matters trade, the state of play in various blocs in regard to the Economic Partnership Agreements (EPAs), and the 11<sup>th</sup> European Development Fund (EDF).

**Mr. Speaker,**

Kenya further informed the Assembly of its preparedness with regard to the 10<sup>th</sup> World Trade Organization (WTO) Ministerial Conference that will be hosted in Nairobi in December, 2015 and further appealed to the Assembly to support Kenya's candidate for the post of Secretary-General for the International Maritime Organisation (IMO), one Mr. Juvenal J. Shiundu.

**Mr. Speaker,**

The Delegation recommends that Parliament notes the Report of the 38<sup>th</sup> Session of the ACP Parliamentary Assembly and the 29<sup>th</sup> Session of the ACP-EU Joint Parliamentary Assembly held at the Grand Pacific Hotel, Suva, Fiji.

**Mr. Speaker,**

The delegation is grateful to the Speakers of the two Houses for allowing them to attend the Session, for facilitating travel and accommodation and providing logistical and technical support in liaison with the offices of the Clerks from the two Houses.

It is now my pleasant duty, on behalf of the delegation to present and commend this report to the House for adoption.

.....  
**SEN. KEMBI-GITURA, M.P.**  
**MEMBER OF THE DELEGATION**

DATED.....18th Nov. 2015.....

**REPORT OF THE PROCEEDINGS OF THE ACP COMMITTEES, ACP  
PARLIAMENTARY ASSEMBLY, ACP-EU JOINT COMMITTEE MEETINGS AND  
THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY: GRAND PACIFIC HOTEL,  
SUVA, FIJI – 10<sup>TH</sup> TO 17<sup>TH</sup> JUNE, 2015**

**INTRODUCTION**

1. The ACP-EU Joint Parliamentary Assembly was created out of a common desire to bring together the elected representatives of the European Community – the Members of the European Parliament – and the elected representatives of the African, Caribbean and Pacific states (ACP Countries) that have signed the Cotonou Agreement. It is the only institution of its kind in the world.
2. Since the entry into force of the Treaty on the European and EU enlargement it has acquired a more prominent role. A substantial part of the work of the Joint Parliamentary Assembly is directed towards promoting human rights and democracy and the common values of humanity, and this has produced joint commitments undertaken within the framework of the UN conferences.

**Composition and working methods**

3. The representatives of the 78 ACP states, who under the Cotonou Agreement must be Members of Parliament, meet their European Parliament counterparts drawn from the 27 member states of the EU in a plenary session for one week twice a year, bringing together more than 320 MPs. The Joint Parliamentary Assembly meets alternately in an ACP country and an EU country. The institution is governed by common, democratic rules.
4. Two co-presidents who are elected by the Assembly direct their work. Twenty four vice-presidents (12 European and 12 ACP) who are also elected by the Assembly constitute the Bureau of the Joint Parliamentary Assembly, together with the two co-presidents. The Bureau meets several

times a year in order to ensure the continuity of the work of the Joint Parliamentary Assembly and to prepare new initiatives aimed notably at reinforcing and improving cooperation. It also considers topical political questions and adopts positions on all human rights cases.

5. Three Standing Committees have been established to draw up substantive proposals, which are then voted on by the Joint Parliamentary Assembly. These Committees, which began their work in March 2003, are:-
  - i. Committee on Political Affairs;
  - ii. Committee on Economic Development, Finance and Trade; and
  - iii. Committee on Social Affairs and the Environment.
6. The Assembly regularly forms exploratory or fact-finding missions. The members of the Joint Parliamentary Assembly are thus in direct contact with the situation on the ground in various developing countries which are signatories to the Cotonou Agreement.
7. The impact of the work of the Joint Parliamentary Assembly thus goes well beyond economic considerations and embraces the fundamental objectives of the development of mankind and the establishment of peaceful relations between the nations and the world. The ACP-EU Joint Parliamentary Assembly is a democratic, parliamentary institution, which aims to promote and defend democratic processes in order to guarantee the right of each people to choose their own development objectives and decide on how to attain them.

#### **Initiatives by the Joint Parliamentary Assembly**

8. The Joint Parliamentary Assembly has made an active contribution towards implementing and reinforcing successive ACP-EU Conventions and has put forward numerous proposals, including the upgrading of the role of women in development process, the integration of environment policy in development projects, promotion of trade as a tool for

development, particularly by way of the Economic Partnership Agreements foreseen in the Cotonou Agreement, the drawing up of rural development programmes and micro-projects tailored to the needs of specific communities and the promotion of regional, political and commercial cooperation.

### **Membership and meetings**

9. The forum has members drawn from the European Community and the African, Caribbean and Pacific states. Prior to the Joint Parliamentary Assembly (JPA), the ACP committees hold meetings. These are followed by a meeting of the ACP Parliamentary Assembly (ACP-PA), then by the Joint ACP-EU committee meetings, and finally the ACP-EU Joint Parliamentary Assembly.

### **Some ACP-EU and Cotonou Agreements related to Kenya**

#### **The Economic Partnership Agreements (EPAs)**

10. As from 2002, the European Union and individual and groups of countries that together make up the ACP group of states have been negotiating “free trade” Economic Partnership Agreements (EPAs). The general framework for negotiating EPAs is found in the Cotonou Agreement.
11. The overall objectives of EPAs are to ensure sustainable development in Kenya and other ACP countries, aiding in their smooth and gradual integration into the global economy and in eradication of poverty. Specifically, EPAs aim at promoting sustained growth; increasing the production and supply capacity; fostering the structural transformation and diversification of the Kenyan economy, and providing support for regional integration.
12. Kenya, along with other EAC Partner States initialled the framework EPA Agreement on 27th November 2007. This was pursuant to the

commitment under the road map agreed between the ACP and the EU on establishment of an Economic Partnership Agreement (EPA) by 31st December 2007. The framework agreement was to be replaced by a comprehensive EPA with effect from 1<sup>st</sup> July 2009, by which time negotiations on all pending issues would have been concluded. However, that did not happen due to shifting focus to addressing the contentious issues in the FEPA, namely Export Taxes (Article 15 of FEPA) and Most Favoured Nations (MFN) clause (Article 16 of FEPA).

13. It was agreed that the EAC would negotiate and conclude outstanding issues in the EPAs before the deadline of 1<sup>st</sup> October 2014. That did not happen and as a result, Kenya's exports to the EU were subjected to the Generalized System of Preference (GPS) trade regime with enormous losses as a result of the increased tariff. Under this regime, Kenya exports to the EU had import duties increased from 0% to between 5.5% and 15%.
14. The EAC-EU EPA negotiations were concluded on 14<sup>th</sup> October 2014 in Brussels. Currently the agreed texts are undergoing legal scrubbing. It was expected that the process would be concluded by July, 2015. The next step will involve translation into the various official languages of the EU and the EAC and thereafter signing by the respective countries. The ratification is expected to be finalized by March, 2016 or within one year of signing the Agreement. The entry into force of the Agreement is expected to be March, 2016.
15. It should be noted that the EPAs will lead to insignificant gains for African LDCs, while non-LDCs will witness an expansion of their exports at least in very few sectors. On the other hand the EU will have larger and better distributed trade gains with the exports to Africa and the ACP counterpart countries increasing in nearly all sectors. It could also lead to displacement of some intra-African trade in favour of EU and the reduction in tariff revenues for African countries.

16. In the implementation of EPAs, the EAC should particularly look out for the erosion of gains envisaged from EPAs by the third party/economic arrangements. The EAC calls for mobilization of additional funds from the EU framework of the EPA Development matrix and other bilateral financing mechanism as well as technical assistance.

### **The European Development Fund (EDF)**

17. The European Development Fund (EDF) is the main instrument for providing Community aid for development cooperation in the ACP States and OCT. The 1957 Treaty of Rome made provision for its creation with a view to granting technical and financial assistance, initially to African countries which at that time were still colonized, and with which some Member States had historical links.

Even though a heading has been reserved for the Fund in the Community budget since 1993 following a request by the European Parliament, the EDF does not yet come under the Community's general budget. It is funded by the Member States, is subject to its own financial rules and is managed by a specific committee.

The EDF consists of several instruments, including grants, risk capital and loans to the private sector. A new partnership agreement that was signed in Cotonou in June 2000 streamlined the EDF and introduced a system of rolling programming, making for greater flexibility and giving the ACP States greater responsibility.

The development aid provided by the EDF forms part of a broader European framework and each EDF is concluded for a period of five years.

The Member States have their own bilateral agreements and implement their own initiatives with developing countries that are not financed by the EDF or any other Community funds.

18. The tenth EDF covered the period from 2008 to 2013 and provided an overall grant budget of EUR 390 million (Kshs 40 billion). The eleventh EDF will run from the year 2015 to the year 2020. The 11<sup>th</sup> EDF National Indicative Programme (NIP) was signed in June, 2014 and provides EUR 435 million to support the following sectors: energy, agriculture, democracy and good governance.
19. It is important to note that a lot of focus by the EU under the 11<sup>th</sup> EDF is on capacity building and soft infrastructure. However what is critical to Kenya is the development of physical infrastructure and energy. It is therefore important that physical infrastructure continues forming part of the indicative programmes. The EU should also allow for adequate flexibility in terms of an individual country's prioritization of its projects instead of narrowing choices to the EU's predetermined sectors.

#### **MEETINGS OF THE JOINT COMMITTEES**

20. The ACP and EU Committee meetings took place from 10<sup>th</sup> to 11<sup>th</sup> June, 2015 whereas the Joint meetings of the ACP and EU Committees took place from 13<sup>th</sup> to 14<sup>th</sup> June, 2015 and discussed several matters as follows:-

#### **Committee on Political Affairs**

21. The Committee adopted its draft agenda and approved minutes of the previous meeting held on 20<sup>th</sup> March, 2015 in Brussels, Belgium.
22. The Committee debated its report, amendments and adopted the report on the Cultural diversity and human rights in ACP and EU countries as was

presented by the Co-Rapporteurs Abdoulaye Toure (Cote d' Ivoire) and Davor Ivo Stier.

**Evaluation of the African Peace Facility (APF) after ten years: effectiveness and prospects for future**

23. The Committee considered and exchanged views on the topic, "Evaluation of the African Peace Facility (APF) after ten years: effectiveness and prospects for future". The African Peace Facility was created in 2004 as a separate component of the European Development Fund. The political vision behind this innovation was to give the African Union a lever to better manage conflicts on the continent by itself. Since its inception the APF has become the main tool for implementing the Africa-EU Peace and Security Partnership and in total more than EUR 1.2 billion has been allocated to the APF since it was set up. This amount has been used for capacity building activities, activities related to the early response mechanism such as mediation, start-up and fact finding missions. Over 90% of the money has been contracted for peace support operations in six countries namely AMIS (Darfur), Amisom (Somalia), Miopax and Misca (Central African Republic), Afisma (Mali) and RCI-LRA (Central Africa Republic, DRC, South Sudan, Uganda).
24. It is important to note that the EU is not the only player providing assistance to the APF; there are other players including United Nations (UN), the North Atlantic Treaty Organization (NATO), and individual States (United States, China, Japan and the Member States of the European Union). Complementarity is ensured by the African Union partners group which meets regularly in Addis Ababa.
25. APF has enabled the link between security and development to become operational, has provided significant support to make the African Peace and Security Architecture (APSA) operational and helped promote a genuine common European approach to the security and peace challenges

in Africa. The results of the evaluation are therefore broadly positive, and this success means greater expectations for the future.

26. Going forward, the principal of ownership of the APF by African countries should be pursued, there should be coordination and complementarity of the various players, the capacity building of APSA should be enhanced, and finally the European Union and the African Union must make further symbolic political efforts to make citizens more aware of this instrument, and especially its results.

#### **Title of the next report**

27. The Committee made a decision on the title of the next report as improving participatory governance through decentralization and strengthening local governance.

#### **The migration policy in the EU-recent developments**

28. The Committee exchanged views with the European Commission on the topic, "The migration policy in the EU - recent developments." The European Commission informed the Committee that migration is a multi-faceted phenomenon that involves various dimensions such as peace, poverty and humanitarian crisis, immigration, border control and loss of life. There is therefore great need to create structured and comprehensive long-term approaches to deal with the issue, beyond the emergency measures now in place. The Commission stated that the European Union has developed an agenda that will ensure a safe and secure legal process, and that will lead to a new policy in migration for development of the countries of origin and Europe.

#### **Role of parliamentary oversight in Anti-Corruption**

29. A presentation was made by Hon. John Hyde, Chair of the Oceania Region of the Global Organisation of Parliamentarians Against Corruption (GOPAC). The Global Organization of Parliamentarians against Corruption

(GOPAC) was founded in October 2002 as a result of a Global Conference in Ottawa, Canada which brought together over 170 parliamentarians and 400 observers dedicated to fighting corruption and improving good governance. The Members of GOPAC represent more than 50 countries in all the regions of the world. Membership to GOPAC is available to current and former parliamentarians, and to those who have been denied the right to take up their seats in Parliament.

30. In his presentation, Hon. Hyde informed the Committee that corruption is a global phenomenon and that the link between corruption and poverty is well documented. He highlighted that there was clear evidence that corruption undermines development and sustains poverty, inhibits economic growth, drives political instability, enables the unsustainable use of natural resources, impacts service delivery and undermines good governance. He also enumerated the achievements that had been made by the GOPAC Oceania Chapter and encouraged Members to join or start up national and regional chapters.

#### **Political situation in ACP States**

31. Countries reported on the political situations in the ACP and EU Member States. Kenya reported on the status of security in the country with the most recent incident being the terrorist attack in Garissa town in April 2015, where one hundred and forty seven people were killed. Kenya stated that the threat of terrorism remains present and that the Government has put in place measures to tackle the same. The delegation commended the concerted efforts, solidarity, commitment and support by the international community towards finding a global and integrated solution to the threat of terrorism.

32. The Central African Republic (CAR) reported on the security situation in the country, stating that a special criminal court had been set up to deal with issues of impunity and human rights, and that a new Constitution was being drafted. CAR called upon the international community to help

in the disarmament process. It was also reported that the legislative elections had been postponed to the end of the year.

33. Benin reported that the country recently concluded a general election that saw majority of the members of the National Assembly come from the opposition.

34. Ethiopia reported that the country held successful general elections on 24<sup>th</sup> May 2015. Over 90% of registered voters turned up, and the ruling party was voted in.

35. Fiji welcomed all the delegates to the country and to the meeting. The delegation informed the Committee that they held successful elections under their new Constitution in September 2014.

36. Mali reported that over four hundred people from Mali had died during migration from Mali to Europe. In addition, the security situation had improved, with the warring communities having signed a peace agreement.

37. Dates of the next sitting will be 23<sup>rd</sup> and 24<sup>th</sup> September 2015 in Brussels.

#### **Committee on Economic Development, Finance and Trade**

38. The Committee adopted its draft agenda and approved minutes of the previous meeting held on 19<sup>th</sup> March 2015 in Brussels, Belgium.

39. The Committee debated its report on Financing of investment and trade, including infrastructure, in ACP countries by the EU blending mechanism as presented by the Co-rapporteurs, Malement Liahosoa (Madagascar) and David Martin, considered amendments to and adopted the report.

#### **Forty years of partnership: evaluation of the impact on trade and development in the ACP countries and prospects for enduring relations between the ACP countries and the European**

40. Members debated and exchanged views on the forty years of partnership: evaluation of the impact on trade and development in the ACP countries

and prospects for enduring relations between the ACP countries and the European Union as presented by Co-Rapporteurs Jacob Oulanyah (Uganda) and David Martin. In their remarks, the Co-Rapporteurs informed the Committee that the EU-ACP partnership dates back to 1957. In its current form, the Cotonou Agreement is the largest North-South contractual relationship worldwide and governs relations between 79 ACP countries and the European Union, combining long-term development finance, trade preferences and political dialogue. The Cotonou agreement will expire in year 2020, and a post-2015 framework is required.

41. Before the Cotonou, EU-ACP trade was characterised by unilateral, non-reciprocal preferential market access. The trade granted to the ACP countries over the last forty years has been significant. Under the Cotonou, the EPA negotiations were launched with the aim of creating a shared trade and development partnership which would through gradual and controlled liberalisation of trade, contribute to development, fully integrate ACP economies to global trade, and contribute to economic growth and job creation. However the EPAs have been criticized for amongst other things, having the potential to reduce ACP countries' policy space, possibly leading to losses in ACP fiscal revenues and de-industrialisation in ACP countries, and allegedly undermining African regional integration.
42. In terms of development cooperation, the 40 years of partnership have been significant. Over EUR 75,000 has been spent on development cooperation through EDF. The EDF has had an enormous impact on the development of the ACP-EU regions in the areas of infrastructure development, agriculture, tourism, economic growth and poverty reduction. However, in terms of poverty reduction, little conclusive evidence can be drawn owing to the lack of sufficient impact evaluation, and the difficulty of isolating the effects of the EU aid from other factors.

43. Given that the Cotonou Agreement is set to expire in 2020, several scenarios for the post-2020 period could be envisaged including: a dissolution of the joint partnership and its replacement with regional arrangements; the development of an overarching ACP-EU partnership that coexists with strengthened regional economic communities; and the emergence of a more dynamic and cohesive ACP group, which may establish a global partnership beyond the EU.
44. The Committee also discussed and made a decision on the title of its next report which will be: 'Free trade continental area in Africa: possibilities for intra-Africa trade'.

#### **Financing of the post-2015 development agenda**

45. The Committee exchanged views on financing of the post-2015 development agenda upon a presentation by Osnat Lubrani, United Nations Resident Coordinator and UNDP Representative.
46. It was noted that there was need for sufficient means to implement the Post-2015 development agenda. The Committee was informed that the ACP has come up with a draft position for the Third International Conference on Financing for Development that and take place in Addis Ababa in July, 2015. The draft position was discussed by the Council of ACP Ministers in May, 2015 and the document was being finalized by the Committee of Ambassadors.
47. The salient features of the draft position were the challenges that were encountered in the implementation of the MDGs that have to be taken into account when preparing for financing of the Post 2015 development agenda; the composition of the ACP countries and difficulties faced in implementing the MDGs by various countries; the need for having a holistic approach so as to harness the necessary funds to support the Post 2015 development agenda; highlighting the need for an open partnership with frank dialogue on cooperation processes; priority of the

ACP in focusing on a strategy for development through harnessing domestic resource scaling for increased amounts of ODA, debt management and widening private sector for public sector development.

**The 11<sup>th</sup> European Development Fund (2014-2020): Regional Indicative Programmes and Intra-ACP Programming**

48. Mr. Andie Fong Toy of the Pacific Island Forum Secretariat made a presentation on the 11<sup>th</sup> EDF (2014-2020). He stated that all the regions had agreed on Intra Regional Programmes (IRP), and the signing was scheduled to take place by July 2015. He informed the Committee that various programmes as adopted covered regional and economic integration, infrastructure, food security and environment, and peace and security.
49. Each programme has financial allocations that have increased from the 10<sup>th</sup> EDF to 346 million EUR for the Caribbean, 106 million EUR for the Pacific, 350 million EUR for Central Africa, 1.15 billion EUR for West Africa and 332 billion EUR for East and Southern Africa.

**Economic Partnership Agreements (EPAs): State of play of negotiations and implementation**

50. Report on the status of the Economic Partnership Agreements negotiations was given by the European Commission. The Committee was informed that three regions had concluded negotiations and that legal scrubbing was being undertaken for EAC and SADC, while West Africa was signing the agreement. In the cases of other regions that are implementing the EPAs, institutions have been set up to carry out studies on EPAs but so far they hadn't come up with concrete benefits.
51. The Committee noted that the EU had set a deadline for signing, ratifying and implementing the EPAs and it was felt that was not in good faith for a partnership.

52. Further, the forty nine countries that had entered EPAs were advised to start preparations for implementing the EPAs including changing policies, legislation, capacity building and to conduct studies that will assess the impact of what had been agreed on.

53. The dates of the next sitting will be 23<sup>rd</sup> and 24<sup>th</sup> September, 2015 in Brussels.

### **Committee on Social Affairs**

54. The Committee adopted its draft agenda and approved minutes of the previous meeting held on 20<sup>th</sup> of March, 2015 in Brussels, Belgium.

55. The Committee debated amendments to its report and finally adopted the report on “Challenges and opportunities of education and vocational training in ACP countries” as was presented by the Co-Rapporteurs Musa Hussein (Eritrea) and Francesc Gambus.

56. The Committee considered and exchanged views on the topic, “How to improve economic and social conditions in developing countries, including the contribution of family businesses, in order to prevent health disaster” following presentations from the Co-Rapporteurs, Mr. Ibrahim R. Bundu (Sierra Leone) and Arne Gericke. The co-rapporteurs noted that developing countries had the land and the labour to improve their development level, but lacked the capacity and technology to do so.

57. It was also highlighted that a focus on SMEs and family businesses would assist greatly in tackling poverty in ACP countries. It was observed that the state has a great role to play in aiding SMEs by ensuring they are adequately funded and trained.

58. There is also need to promote cohesion of family units to ensure sustainable family businesses, and create the right environment for these businesses to thrive. Such activity would include making resources and capital available, having systems of microfinance available to improve

efficiency, and providing infrastructure for small businesses, thus making operations in this sector more formalized. Means of further re-structuring the sector could include putting a legislative framework in place to support small businesses, providing access to credit and training or capacity-building, especially to ensure skills or trade crafts passed down for generations are maintained and modernized.

### **Title of next report**

59. The Committee made a decision on the title of the next report as “The Social and Environmental consequences of migration on ACP and EU countries.”
60. The Committee also exchanged views with the European Commission on the resolution that was passed by the ACP-EU on the Social economic consequences of malnutrition in ACP countries. It was reported that the Bill Gates Foundation was funding programmes on malnutrition in various ACP countries, and Kenya was targeted as a beneficiary in the first group funding.
61. The Committee exchanged views with experts on the topic, “Climate change and health in the Pacific.”
62. Date of the next sittings will be 23<sup>rd</sup> and 24<sup>th</sup> September, 2015 in Brussels, Belgium.

## **OVERVIEW OF THE 38<sup>TH</sup> SESSION OF THE ACP-PA**

### **Communication by the ACP-PA President, Hon. Fitz Jackson**

63. The ACP Parliamentary Assembly held its meeting under the Chairpersonship of the ACP President Hon. Fitz Jackson. He welcomed the ACP states to the session and to Fiji. In his remarks, he thanked the Government and the people of Fiji for having accepted to host the meeting at a short notice following the inability of Vanuatu to host after the devastation that was caused by Cyclone Pam. He commiserated with the

Government of Vanuatu on the tragic loss of life and damage to property wrought by the cyclone and informed the Session that the Bureau had resolved to have an urgent motion for resolution on the natural disaster in Vanuatu.

64. He sent messages of condolence to the people of Kenya, Nigeria and Ghana on the loss of people and property due to terrorists' attacks. He also briefed the Assembly on Members of the ACP who had been appointed to various senior positions in their governments, and congratulated them on their appointments.

**Communication by the ACP-PA Secretary General, H.E. Dr. Patrick I. Gomes**

65. In his welcome remarks, the new Secretary General, of the ACP-PA, Dr. Patrick Gomes, thanked the Government of Fiji for accepting to host the meeting and encouraged the Members to take the opportunity to glean first-hand experiences, challenges and opportunities that can be transposed to their countries from Fiji.
66. He equally congratulated Kenya for being the first African country to accept to host a WTO conference. Kenya will be hosting the 10<sup>th</sup> WTO Ministerial Conference in Nairobi in December, 2015.
67. He stated that the ACP marked its fortieth anniversary on 6<sup>th</sup> June, 2015 and that the Secretariat had just concluded long and intensive meetings of the ACP Council and the ACP-EU Joint Council of Ministers. These two groups mandated the Ambassadorial Working Group to come up with perspectives on future cooperation between the EU and ACP countries for consideration.
68. He stated that his secretariat was working on a strategic management plan that would enhance and deepen cooperation between the ACP Group and regional groupings, re-examine the interaction between the ACP

Group and the EU with a view to improving the quality of cooperation, and step up the observer status of the ACP at the UN in New York.

69. He urged Members to take an active interest in the implementation of the strategy papers through national parliamentary channels so that they can inform the ACP Assembly of the efficacy of the EDF and other ways that development cooperation can be improved. He further challenged Members to make maximum use of the ACP-EU Assembly in their close interaction with the representatives of the EU institutions.

#### **Suva resolution on EPAs**

70. The ACP Parliamentary Assembly made a resolution on EPAs, calling upon the European Commission negotiators to show flexibility in the comprehensive EPA negotiations, and facilitate the conclusion of development-friendly EPAs with the remaining ACP regions or countries, particularly the Pacific region, taking into account their unique and special circumstances. The ACP-PA requested the European Commission to recognize the need to accord special and differential treatment in the EPA process to ACP Least Developed Countries, Small and Vulnerable Economies and the Smaller Island States of the Pacific region; and called upon the European Commission Trade Commissioner to convene meetings with regions that are yet to conclude full EPAs. This includes, in the case of the Pacific region, convening a Joint Pacific - European Commission Ministerial Meeting to address the remaining contentious issues and to work constructively in the true spirit of goodwill and partnership to conclude a development-friendly comprehensive EPA by 31 December 2015.

#### **Suva Declaration on the situation in Burundi**

71. The ACP-PA made a declaration on the situation in Burundi. The declaration on the situation in Burundi stated that the ACP-PA was concerned with the political, military and humanitarian situation in

Burundi and condemned the violence. The ACP Assembly supported and welcomed the efforts by the African Union and the East African Community in resolving the matter and called for protection of human rights and for creation of a conducive environment for refugees who had left the country to return. The ACP – PA undertook to support the people of Burundi in upholding their democratic aspirations for free, fair and inclusive elections, within the context of intra-ACP solidarity.

72. The Members adopted various resolutions that were passed on from the committees and resolved to vote in support of the same during the JPA.

### **MEETINGS OF THE BUREAU**

73. The Bureau met and approved the draft agenda and work programme for 38<sup>th</sup> Session of the Joint Parliamentary Assembly. It also approved the motions for resolutions on urgent topics, pursuant to Article (3) of the Rule of Procedure.

74. Kenya was able to sit in for this meeting, replacing Sudan, due to the absence of its representatives.

75. The Bureau also considered and approved the topics for the proposed reports of the Standing Committees, as well as confirming the preparations for the upcoming regional meeting in Democratic Republic of Congo, and the fact-finding missions to the Milan Expo and Lampedusa scheduled for the rest of the year.

76. The Bureau resolved to review and agree on a schedule for its participation in election observation missions in future due to time constraints on its members.

### **WOMEN'S FORUM**

77. The Women's forum meeting was held on 13<sup>th</sup> June, 2015. The topic under discussion was, '*Promoting women's access to decent work and equality in employment*'. Ms. Michelle Reddy, Programme Manager of the

Fiji Women's Rights Movement made a presentation on the role the civil society and NGOs in promoting decent work policies for women. She informed Members of the efforts that the Fiji Women's Rights movement had put into promoting women's access to decent work.

## **OVERVIEW OF THE 29<sup>TH</sup> SESSION OF THE ACP-EU JPA**

### **Opening Session**

78. The Session was opened with the anthem of Fiji, following a traditional Fijian welcome ceremony, and closed with the anthems of ACP and EU Assemblies.
79. The Co-President for the ACP, Hon. Fitz A. Jackson, gave some opening remarks. He thanked the Government and people of Fiji for hosting the ACP-EU meetings on short notice. He further mentioned that it takes time and effort to get to the Pacific, and hoped that everyone would speak up for the Pacific Islands and the threats that they face from the effects of climate change such as rising sea levels and coastal erosion.
80. He appealed to the EU colleagues to ensure that legislative proposals were in harmony with the long-term development objectives of the developing countries. He applauded the EU Heads of Government for the recent decisions aimed at a more humanitarian approach to the migration crisis, and also called for a long-term solution of developing more avenues for regular and orderly migration.
81. He reported that several ACP countries had held successful elections including Nigeria, Ethiopia, Guyana, Togo and Benin. He also appealed to the authorities in Burundi to tread with prudence in their reaction to the violent protests against the candidature of President Pierre Nkurunziza for a third term of presidency.
82. He stated that the adoption of a resolution by the ACP-EU on 'Financing of investment and trade, including infrastructure in ACP countries by the EU

mechanism blending' would result in the kick-starting of recovery of all economies. Through the outcome of these measures, Europe would find the merit of investing in the ACP also as a means of its own economic regeneration. Further, the resolution on 'cultural diversity and respect for human rights' could be taken as an exercise for searching for common ground, and appreciating at the same time, our differences.

83. With regard to EPAs, he hoped that the European Commission would demonstrate flexibility in the negotiations to ensure that EPAs are development-friendly, and that they enhance regional integration.
84. In his opening remarks, the Co-President, Louis Michel thanked the Prime Minister of the Republic of Fiji for accepting to host and finding time to attend the formal opening of the 29<sup>th</sup> Session.
85. He expressed solidarity with the West African countries affected by the Ebola outbreak, and with Vanuatu and surrounding countries for their losses during Cyclone Pam. He also pointed out the need to have sustained international support for the Central Africa Republic in terms of humanitarian, election, education, health and basic needs.
86. With regard to migration, he stated that there was need to have a joint strategy between the ACP and EU states on how to deal with the issue. On improving revenue generation capabilities for the ACP states, he reported that Africa loses over 50 billion dollars every year through tax avoidance, as many ACP countries do not have adequate fiscal infrastructure to enable governments to levy basic taxes on income, profits or transaction thus leading to budget shortages. He called upon the ACP to learn from the EU on best practices and asked the EU Commission to focus on that area when providing development assistance to the ACP states.
87. He finally thanked the Prime Minister of the Republic of Fiji for the democratic elections held, and wished him, the Speaker of the National

Assembly and the country success in the future, prior to inviting him to officially open the meeting.

88. The Prime Minister welcomed all to Fiji on behalf of the Fijian Government and the Fijian people. He reminded the Members that 2015 is a pivotal year for everyone – a year in which, working together, the global community could truly change the course of history through the meeting that would take place in New York to endorse the global development blueprint for the next 15 years - the Sustainable Development Goals and the Post-2015 Development Agenda.
89. Another momentous meeting in 2015 would be the World Climate Summit that would take place in Paris in December, where the industrialized nations would deliver the commitments that are needed to reduce carbon emissions, arrest global warming, and halt the rising sea levels that threaten vast areas of the world, especially the every Small Island and Developing States. He further stated that “We are the first generation with the potential to end poverty and the last generation to avoid the worst effects of climate change”. He called on all to support the need to achieve binding cuts in carbon emissions from the industrialized nations at the Paris Summit, or else disaster would strike the small islands.
90. He thanked the countries of the European Union for facing up to that moral challenge and taking a lead in climate change by committing to reduce carbon emissions by 40 per cent by the year 2030. He acknowledged that the world will need to make difficult decisions in regard to sustainable development and dealing with the threat of climate change.
91. He cited another challenge facing the JPA as the impasse between the EU and ACP on the EPAs, and asked the EU to be flexible in the ongoing negotiations.
92. In conclusion, he urged the Members to resolve in Suva to make 2015 a pivotal year for the ACP and EU, to develop new avenues of cooperation, a

better understanding of each other's position, and to strengthen the goodwill that has always been at the foundation of the ACP-EU relationship.

### **Plenary Sessions of the ACP-EU JPA**

#### **Statement by Neven Mimica, of the European Union Commission**

93. He outlined the EU's commitments in preparation for the three major development-related international conferences in 2015: the Third International Conference on Financing for Development in Addis Ababa, the United Nations summit for the adoption of the post 2015 development agenda in New York, and the UN COP 21 Climate Change Conference in Paris. He stated that a joint ACP-EU position for the three conferences would carry important weight in negotiations.

94. Commissioner Mimica also stressed the need for accountability and effective mechanisms for monitoring the delivery on commitments. He highlighted that, in regard to climate change, the conference in Paris would provide a platform for nations to lobby for a global monitoring system to ensure that countries were actually reducing their carbon/greenhouse gas emissions.

#### **Statement by the Minister for Foreign Affairs (Latvia) – President in Office of the EU Council**

95. The President of the EU Council of Ministers stressed that 2015 was a very significant year for development due to the expected three major development-related international conferences.

96. He advocated a holistic European response to migration, including targeting smuggling networks, addressing root causes of migration and actively cooperating with ACP countries. He stressed the importance of the Economic Partnership Agreements, which now cover a majority of the people of Sub-Saharan Africa, as dynamic instruments for achieving

poverty eradication and regional cooperation. He stated that the expiry of the Cotonou Agreement in 2020 would offer both a challenge and an opportunity, and that EU would engage in public consultations until the end of the year.

### **Natural resources**

97. Issues raised under this topic included the need for transparency, strengthened parliamentary control, tax reform, traceability of minerals, the role of civil society as a watchdog, the setting up of foreign wealth funds to use the revenues for future generations, and the need to make companies responsible for repairing environmental damage, as a result of mining.

### **Seas/Oceans (climate change, biodiversity, renewable energy, fisheries, maritime security and piracy, oil and minerals in seabed)**

98. On this topic, the plenary received an address from H.E. Anote Tong, the President of Kiribati, regarding the effects of climate change on the waters surrounding the Pacific Islands.

99. He explained that there have been various global efforts to curb negative climate change effects. Unfortunately, those facing the greatest threat of this issue were the small island states like Kiribati. He stated that due to rising sea levels, it was projected that Kiribati would be under water in the next fifty years. As such, the country would be faced with the problem of becoming climate change refugees.

100. He appealed to the EU states and other global partners to honour their pledges of assistance to his and other countries facing similar problems. He did state that the country is weighing its options in dealing with the challenges being faced – by taking measures to ensure part of Kiribati remains above water through raising some of its areas, and also looking into the likelihood of relocating its entire population, if necessary. So far,

Fiji is the only country to commit to hosting the population of Kiribati, if and when the need arises.

101. The plenary also heard a moving poem from Kathy Jetnil-Kijiner, a poet and civil society representative from the Marshall Islands on the matter of climate change, and about fishing in the Pacific region from Mr. Feleti Teo, Executive Director, Western and Central Pacific Fisheries Commission.

### **Resolutions and Declarations**

102. The ACP-PA adopted one resolution and made one declaration while the ACP-EU JPA adopted three resolutions and made one declaration on the following:-

- i. ACP-PA resolution on EPAs;
- ii. ACP-PA declaration on the situation in Burundi;
- iii. ACP-EU JPA resolution on cultural diversity and human rights in ACP and EU countries;
- iv. ACP-EU JPA resolution on the financing of investment and trade, including infrastructure, in ACP countries by the EU blending mechanisms;
- v. ACP-EU JPA resolution on challenges and opportunities in education and vocational training in ACP countries; and
- vi. ACP-EU JPA declaration on the situation in Central African Republic.
- vii. ACP-EU JPA declaration on the natural disaster in Vanuatu (and neighbouring states): the way forward, including regional cooperation.

### **ACP-PA resolution on EPAs (*Appendix 1*)**

103. The resolution on EPAs called upon the European Commission negotiators to show flexibility in the comprehensive EPA negotiations and facilitate the conclusion of development friendly EPAs with the remaining ACP regions or countries, particularly the Pacific region, taking into account their unique and special circumstances. The ACP-PA requested the European Commission to recognize the need to accord special and differential treatment in the EPA process to ACP Least Developed Countries, Small and Vulnerable Economies and the Smaller Island States of the Pacific region; and called upon the European Commission Trade Commissioner to convene meetings with regions that are yet to conclude full EPAs, and in the case of the Pacific region, convene a Joint Pacific - European Commission Ministerial Meeting to address the remaining contentious issues and to work constructively in the true spirit of goodwill and partnership to conclude a development friendly comprehensive EPA by 31 December 2015.

**ACP-PA declaration on the situation in Burundi (*Appendix 2*)**

104. The ACP-PA made a declaration on the situation in Burundi. The declaration on the situation in Burundi stated that the ACP-PA was concerned with the political, military and humanitarian situation in Burundi and condemned the violence. The ACP Assembly supported and welcomed the efforts by the African Union and the East African Community in resolving the matter and called for protection of human rights, and for creation of a conducive environment for refugees who had left their country to return. The ACP – PA undertook to support the people of Burundi in upholding their democratic aspirations for free, fair and inclusive elections, within the context of intra-ACP solidarity.

105. The Members adopted various resolutions that were passed on from the committees and resolved to vote in support of the same during the JPA.

**ACP-EU JPA resolution on cultural diversity and human right in ACP and EU countries (*Appendix 3*)**

106. Members acknowledged that many cultures are quickly disappearing due to their oral traditions, without being documented in writing, in combination with globalisation. At the same time, cultural diversity should be respected and promoted. Members stressed, however that cultural differences should not be misused to justify violation of common human rights principles such as the principle of non-discrimination. Some Members were of the view that it was more important to preserve their cultural heritage than to focus on new rights for LGBT people. This topic elicited a lot of debate up to the end, but a compromise was eventually reached on the report.

**ACP-EU JPA resolution on the financing of investment and trade, including infrastructure, in ACP countries by the EU blending mechanism (*Appendix 4*)**

107. The blending of grants and loans, which makes it possible to leverage substantial private sector funding, will make more funding available for development. Consequently, lower interest rates would make projects with a high-risk profile or low profit margin viable. To be effective, blending will need to be based on transparent procedures, which ensure that the additionality principle is applied and that the government of the recipient country is involved.

**ACP-EU JPA resolution on challenges and opportunities in education and vocational training in ACP countries (*Appendix 5*)**

108. There was a realization for the importance of ensuring that there was provision of equitable access to learning for all young people and access to basic and continuing quality education for adults. Such learning should focus on appropriate learning and life-skills programmes to improve literacy, especially among women. Education should also be made

available to other vulnerable groups like persons with disabilities, ethnic minorities and children who are disadvantaged.

109. The education and vocational training provided should be of good quality, and achieve a seamless transition from school to the labour market, ensuring that entrepreneurship and training programmes are incorporated into the national skills strategies.

**ACP-EU JPA declaration on the situation in Central African Republic  
(Appendix 6)**

110. The ACP-EU welcomed the progress made in the CAR under the most recent agreements, reaffirmed its support for efforts by the Transitional President, Catherine Samba- Panza and the International Contract Group on the CAR but expressed its concern about security, humanitarian and economic situation and reiterated its support for the independence, unity and territorial integrity of the CAR.

111. The Assembly called on CAR to protect the civilian population, to support the investigation by the International Criminal Court into war crimes, to implement the agreement of 5<sup>th</sup> May 2015 to free child soldiers, to come up with a national strategy to combat illegal exploitation of natural resources and networks for smuggling

112. The Assembly pointed out the importance of holding before the end of 2015 free, fair and transparent elections and called on the international community to give electoral assistance.

113. The JPA called on EU to swiftly introduce binding legislation to prevent operators including those outside Europe, from selling on European markets minerals which finance conflicts.

**ACP-EU JPA declaration on the natural disaster in Vanuatu (and  
neighbouring states): the way forward, including regional cooperation.  
(Appendix 7)**

114. The Assembly noted that Cyclone Pam caused numerous fatalities and affected almost three quarters of the population of Vanuatu and also devastated socio-economic infrastructure in the island states of Tuvalu, Solomon Islands and Kirabati.
115. The Assembly expressed its condolences to the countries hit by Cyclone Pam and expressed its appreciation to all humanitarian workers for their response efforts in the aftermath of the cyclone.
116. The Assembly among other things, supported the Sendai Framework for Disaster Risk Reduction 2015-2030 as a crucial step in addressing the increasing impact of disasters and their complexity and emphasized that climate change is not a standalone environmental issue, but a development agenda for both EU and the Pacific States and should be given high priority.

#### **Workshops and Excursions**

117. Towards the end of the Session, Members attended two workshops. The first one was on “Supporting private sector development and promoting investments in renewable energy sources in ACP countries.” The second one, of which Kenya was a rapporteur, was on “Fiji and the Pacific’s Experience in combating Illegal, Unreported and Unregulated (IUU) Fishing.”
118. This second workshop focused on two presentations from the Permanent Secretary, Fisheries, Fiji, Mr. Inoke Wainiqolo, and from the Development Director of the Pacific Forum Fisheries Agency, Solomon Islands, Mr. Mike Batty, on the experiences of combating IUU Fishing.
119. The presentations in both workshops were followed by field visits to two companies operating in the two areas.

#### **Date of Next Meetings**

120. Committees will next meet from September 23 to 26, 2015 in Brussels, Belgium. The next ACP-EU JPA will take place in Maputo, Mozambique from 1<sup>st</sup> to 3<sup>rd</sup> December 2015.

**Recommendation**

121. The Delegation recommends that Parliament notes the Report of the 38<sup>th</sup> Session of the ACP Parliamentary Assembly and the 29<sup>th</sup> Session of the ACP-EU Joint Parliamentary Assembly held at the Grand Pacific Hotel, Suva, Fiji.

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**END**

## SUVA RESOLUTION

### For a development-friendly comprehensive Economic Partnership Agreement (EPA)

The ACP Parliamentary Assembly, meeting in Suva (Fiji) from 10 to 17 June 2015:

#### I. Preamble

- A. **Whereas** the ACP-EU Cotonou Partnership Agreement calls for economic and trade cooperation to support regional economic integration among ACP States to achieve poverty alleviation and foster the gradual integration of ACP States into the world economy;
- B. **Whereas** the Cotonou Partnership Agreement sets out the Parties' commitment to conclude new WTO-compatible trading arrangements, progressively removing barriers to trade between them, enhancing cooperation in all areas relevant to trade and development and improving market access;
- C. **Whereas** the Caribbean region concluded a comprehensive EPA in 2008, the other regions concluded Interim EPAs mainly to avoid market disruption that was posed by the expiry of non-reciprocal trade preferences under the Cotonou Partnership Agreement by 31 December 2007;
- D. **Whereas** other ACP regions that had not concluded full EPAs continued to negotiate comprehensive EPAs after 31 December 2007;
- E. **Whereas** the Economic Community for West African States (ECOWAS), the Southern African Development Community (SADC-EPA Group), and the East African Community (EAC) managed to complete their EPA negotiations in 2014, while the Pacific, the East and Southern African (ESA) and the Central African regions continue to negotiate their full EPAs;
- F. **Whereas** substantial negotiations for full EPAs have not taken place with Central Africa and the Pacific regions for long periods of time due to continuing differences between the two sides
- G. **Whereas** the European Commission and the Pacific Ministers at an informal meeting held in 2013 agreed on a Revised Joint Roadmap to conclude EPA negotiations by December 2014, and whereas no Ministerial Meeting has been convened to finalise negotiations, despite persistent requests for a Ministerial meeting by the Pacific region;
- H. **Whereas** the European Commission Trade Commissioner has written to the Pacific essentially proposing the suspension of negotiations for three years contrary to the PACP-EU Joint Roadmap that was agreed to in 2013;

- I. **Concerned** that the approach that has been taken by the Trade Commissioner could undermine regional integration and lead to fragmentation in the trade and development relationship between the Pacific region and the EU through the distinction created between interim EPA and non-EPA signatory Pacific States which, due to the many contentious provisions contained in the agreement, elect not to be a party to the interim EPA;
- J. **Taking account** of the Pacific States assertion that, in its current form, the interim-EPA is not suitable for most Pacific States due to the fact that as Smaller Island States they do not have the capacity to derive benefits from it;
- K. **Recognising** the contributory role of predictable and development friendly trade arrangements in poverty reduction in all ACP States and building of resilient economies for Least Developed Countries, Smaller Island States and Small Island Developing States which are often vulnerable to natural disasters;
- L. **Noting that** the regions of Central Africa, Eastern and Southern Africa and Pacific that have not yet concluded the comprehensive EPA have been negotiating in good faith but are concerned about the lack of flexibility from the European Commission on contentious issues;
- M. **Concerned by** the fact that there has been no formal Pacific - European Commission negotiation session at Ministerial level since 2007, and for Central Africa since 2011 while noting that the two regions are keen to finalise the negotiations for a development friendly comprehensive EPA;
- N. **Further concerned** that the European Commission negotiators are now conditioning market access to the EU to reciprocal access to Pacific fisheries resources in contravention of the FAO Code of Conduct for Responsible Fisheries, while at the same time demanding the Pacific region to change their fisheries conservation and management measures and adopt the European Commission's approach which has not been proved to have been successful in conserving fisheries resources elsewhere;
- O. **Taking account** of Pacific States view that the fisheries conservation and management systems adopted by the Pacific, in particular the Vessel Day Scheme, are respected by distant water fishing nations that are party to the Western and Central Pacific Fisheries Commission, and should also be recognized by the European Commission;
- P. **Further noting** that the existing EU preferential market access arrangements such as the 'Everything But Arms' (EBA) for Least Developed Countries (LDCs), Generalised System of Preferences for developing countries and the interim EPA are not sufficient for most ACP States unless coupled with additional development assistance and in the Pacific, in addition flexible rules of origin, especially for fresh and frozen fillets under chapter 0304 and 0305 of the Harmonised Commodity Description and Coding System (HS);

**RESOLVES TO:**

1. **Call upon** the European Commission negotiators to show flexibility in the comprehensive EPA negotiations and facilitate the conclusion of development friendly EPAs with the remaining ACP regions or countries, particularly the Pacific region, taking into account their unique and special circumstances;
2. **Urge** the European Commission to recognise the unique developmental and economic challenges faced by the ACP region as a whole, and Pacific region in particular, due to the latter's inherent vulnerability to natural hazards, climate change as well as other issues arising from their geographical isolation;
3. **Request** the European Commission to recognize the need to accord special and differential treatment in the EPA process to ACP Least Developed Countries, Small and Vulnerable Economies and the Smaller Island States of the Pacific region; and
4. **Call upon** the European Commission Trade Commissioner to convene meetings with regions that are yet to conclude full EPAs, and in the case of the Pacific region, convene a Joint Pacific - European Commission Ministerial Meeting to address the remaining contentious issues and to work constructively in the true spirit of goodwill and partnership to conclude a development friendly comprehensive EPA by 31 December 2015.

## Declaration of the ACP Parliamentary Assembly on the situation in Burundi

The ACP Parliamentary Assembly meeting at its 38<sup>th</sup> Session held in Suva, Fiji:

**Aware** of the latest developments of the political, military and humanitarian situation in the Republic of Burundi.

**Concerned** by the high number of refugees from Burundi now residing in the neighboring countries.

**Condemns** all acts of violence committed against civilians in violation of international humanitarian and human rights laws.

**Stresses** the need for constructive dialogue among all parties in Burundi, with the aim of upholding the principles of democracy, rule of law, and human rights, including the right to peaceful assembly.

**Welcomes** the efforts of the African Union, and the East African Community in resolving the outstanding political issues in Burundi, through peaceful dialogue.

**Firmly** supports the position of the African Union on the situation in Burundi taken at the end of the Summit of the African Union Heads of State and Governments, held from 7 to 15 June 2015, in Johannesburg, South Africa

**Calls** upon all parties to promote and protect human rights to comply with their obligations under international law, and **calls** for those responsible for serious violations of such law to be held accountable.

**Emphasizes** that there can be no military solution to the situation in Burundi, but a political one which upholds the requirements of Constitutionalism and the Arusha Peace and Reconciliation Agreement, to preserve peace and security .

**Calls** for the creation of conducive conditions for the safe and unhindered return of all Burundi refugees, to their homes.

**Urges** the swift implementation of measures that will facilitate the creation of conditions for the holding of peaceful, inclusive and credible elections in Burundi, such as the disarmament of all armed youth groups associated with political parties.

**Commit** to support the people of Burundi in upholding their democratic aspirations for free, fair and inclusive elections, within the context of intra-ACP solidarity.

Done at Suva, Fiji on 17 June 2015

## ACP-EU JOINT PARLIAMENTARY ASSEMBLY

ACP-EU/101.753/15/fin.

### RESOLUTION<sup>1</sup>

#### on cultural diversity and human rights in ACP and EU countries

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Suva (Fiji) from 15 to 17 June 2015,
- having regard to Article 18(1) of its Rules of Procedure,
- having regard to the Cotonou Agreement signed on 23 June 2000 in Cotonou and revised in Luxembourg on 25 June 2005 and in Ouagadougou on 22 June 2010,
- having regard to the Resolution on racism, racial discrimination, xenophobia and related intolerance, adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2002 in Brazzaville,
- having regard to the Resolution on challenges to the democratic accommodation of ethnic, cultural and religious diversity in ACP and EU countries, adopted by the ACP-EU Joint Parliamentary Assembly on 9 April 2009 in Prague,
- having regard to the European Parliament resolution of 10 December 2013 on Sexual and Reproductive Health and Rights,
- having regard to the African (Banjul) Charter on Human and Peoples' Rights, adopted by the OAU Assembly on 27 June 1981,
- having regard to the Charter of the United Nations, signed on 26 June 1945,
- having regard to the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the UN General Assembly on 21 December 1965,
- having regard to the International Covenant on Civil and Political Rights, adopted by the UN General Assembly on 16 December 1966,
- having regard to the Convention on the Rights of the Child, adopted by the UN General Assembly on 20 November 1989, and to its Optional Protocols,

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<sup>1</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 17 June 2015 in Suva (Fiji).

- having regard to the International Covenant on Economic, Social and Cultural Rights, adopted by the UN General Assembly on 16 December 1966,
- having regard to the UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted in The Hague in 1954, and to its first protocol of 1954 and its second protocol of 1999,
- having regard to the Convention on the Rights of Persons with Disabilities, adopted by the UN General Assembly on 13 December 2006,
- having regard to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted by the UN General Assembly on 14 November 1970,
- having regard to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, adopted by the UN General Assembly on 10 December 2008,
- having regard to the Universal Declaration of Human Rights, adopted by the UN General Assembly on 10 December 1948,
- having regard to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the UN General Assembly on 18 December 1979,
- having regard to the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the UN General Assembly on 18 December 1992,
- having regard to the United Nations Millennium Declaration, adopted by the UN General Assembly on 8 September 2000,
- having regard to the Declaration on the Rights of Indigenous Peoples, adopted by the UN General Assembly on 13 September 2007,
- having regard to the Vienna Declaration and Programme of Action, adopted by the UN World Conference on Human Rights on 23 June 1993,
- having regard to the Durban Declaration and Programme of Action, adopted by the UN World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 22 September 2011,
- having regard to the Declaration of the Principles of International Cultural Co-operation, adopted by the General Conference of UNESCO on 4 November 1966,
- having regard to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted by the General Conference of UNESCO on 20 October 2005,

- having regard to the Universal Declaration on Cultural Diversity, adopted by the General Conference of UNESCO on 2 December 2001,
- having regard to the American Convention on Human Rights, adopted at the Inter-American Specialized Conference on Human Rights on 22 November 1969,
- A. whereas the world's nearly 200 countries have some 5000 ethnic groups, and whereas two-thirds have at least one substantial ethnic or religious minority;
- B. whereas all countries need to observe and design policies that explicitly include the promotion and protection of human rights and cultural, ethnic, religious and linguistic differences, while fostering development;
- C. whereas a legal framework recognising the equal rights of ethnic, religious and linguistic groups is essential for promoting democratic governance, designing multicultural policies and fostering development;
- D. whereas cultural diversity has been an established feature of most ACP and EU countries, but whereas in recent decades the forces of globalisation have seriously jeopardised peaceful coexistence in multicultural contexts;
- E. whereas the accommodation of diverse cultures, religions and languages poses a new challenge to many societies, including in Europe and the ACP countries; whereas migratory flows also have a cultural and social dimension, which host countries should take into account;
- F. whereas the mechanisms through which universal human rights are guaranteed must take into account grass-roots cultural practices, provided that human rights are not compromised in the process;
- G. whereas in a globalised world, respect for diversity becomes even more vital, both for states and the international community, in order to prevent cultural impoverishment and the disappearance of certain cultures as well as social, inter-ethnic and inter-religious conflicts;
- H. whereas infringements persist and current and potential wars mostly stem from those very infringements of cultural rights, and whereas numerous development strategies have proven to be inadequate due to the failure to respect those rights;

#### **Political and legal aspects**

1. Stresses, against the general background of the right to freedom of expression, including artistic expression, to freedom of opinion and information and to respect for cultural diversity, that each individual, either alone or with others, has the right to free, pluralistic information contributing to the full development of his or her cultural identity;
2. Stresses that actual respect for human rights, with which respect for cultural diversity is correlated, can be regarded as a basic component in the credibility of the actions of the

institutions; recalls that citizens' trust in the institutions at all levels is directly linked to the specific goals achieved in this area;

3. Recalls that, under the Cotonou Agreement, the EU Member States and ACP countries have a duty to strengthen their commitment to ensuring fair and joint implementation of programmes and strategies guided by the principles of democracy, rule of law, the universality and indivisibility of human rights and fundamental freedoms and by respect for human dignity and the principles of equality and solidarity, in full compliance with the Universal Declaration of Human Rights, the Charter of Fundamental Rights of the European Union and international law;
4. Believes strongly that inclusive and community-centred political solutions aimed at ending wars and armed conflict play a crucial role in ensuring lasting respect for human rights and cultural diversity;
5. Is convinced that any strategy or programme delivered in the context of EU-ACP development cooperation policy must guarantee effective eradication of all forms of human exploitation and corruption, poverty and social inequality, provide access to education for all and facilitate mutual understanding, given that human rights violations and major problems in preserving the multicultural, multi-ethnic and multiconfessional character of the societies concerned arise from the persistence of inhuman and degrading conditions;
6. Stresses that human rights are inherent to all human beings, whatever their nationality, religion, belief, place of residence, sex, national or ethnic origin, colour or language and that human beings are all equally entitled to the same human rights without discrimination;
7. Emphasises that human rights are universal, inalienable, indivisible and interdependent and that the promotion, defence and application of human rights cannot be interpreted differently depending on cultural, ethnic and religious traditions or economic and/or geostrategic interests;
8. Stresses, therefore, that cultural diversity cannot be used as a justification for the violation of any human rights enshrined in international law;
9. Stresses that supporting and promoting cultural diversity, and religious diversity in particular, can help to stem the recent rapid growth, particularly among young people, in violently radical mind-sets and thereby help reduce the potential for recruiting future terrorists;
10. Emphasises that, under international conventions, the recognition and protection of human dignity are central and fundamental values;
11. Believes that, where diversity has resulted in violent conflict or threatens to do so, standing mediation mechanisms should be established which can tackle conflicts before they escalate;

12. Calls on EU and ACP governments to involve civil society organisations in the political, inter-cultural and inter-religious dialogue;
13. Underlines the fact that democratic representation of minority groups and their ability to participate in political, social and cultural debate are vital to ensuring that democratic and good governance principles are implemented;
14. Emphasises that a vibrant, dynamic and inclusive public sphere with an active and vocal civil society and public deliberation on cultural, social and political issues is an important element of good governance and the implementation of human rights;
15. Calls on international organisations, in accordance with their specific powers and responsibilities, to ensure, in all of their activities, that systematic consideration is given to cultural rights and to cultural diversity in other human rights and to contribute to the development of transparent and effective common assessment and monitoring mechanisms;
16. Calls on the international community to make education a tool for combating the cultural and traditional custom of female genital mutilation, which is carried out in certain communities as part of the initiation into adulthood and defines whether a girl belongs to the community or not;
17. Recognises the instrumental role of education in empowering marginalised and under-represented people in society, and particularly in empowering women and girls; recognises that not only is access to education a human right in itself, but that it can also make possible the exercise of other civil, political, economic, social and cultural rights;

#### **Cultural diversity, development and human rights**

18. Recognises that cultural diversity is inseparable from respect for universal human rights and beneficial for the development of nations;
19. Calls on the ACP and EU countries, in accordance with their specific powers and responsibilities, to incorporate into their national laws and practices the human rights recognised in the Universal Declaration of 1948 and to ensure that any person who alleges that their cultural rights have been infringed has access to effective remedy, including judicial remedy;
20. Acknowledges, in this context, that while every human being has the right to cultural expression, including the right to enjoy and develop cultural life and identity, cultural rights may only be exercised up to the point at which they begin to infringe on other human rights; stresses that, in accordance with international law, no right may be used at the expense or in violation of another right or of specific national laws in force;
21. Stresses that cultural diversity should be protected and promoted through freedom of expression, information and communication and through freedom from discrimination;

22. Is concerned at the systematic increase in the number of religious and cultural conflicts, which often lead to bloody wars in which human rights are violated and many people are killed;
23. Recognises that human rights such as freedom of belief, religion, thought, conscience and expression, and press freedom in particular, along with freedom of assembly and freedom of association, play a direct role in the promotion and protection of cultural diversity and that enjoyment of human rights is promoted by a pluralistic society;
24. Stresses that each individual has the freedom to choose whether or not to identify with one or more cultural communities, regardless of borders, and to change that decision; emphasises, in addition, that no one may be forced to identify with or be assimilated with a cultural community against their will;
25. Acknowledges that there are different policies and constitutional solutions for accommodating cultural diversity;
26. Stresses, in particular, that equality of rights between women and men must be strictly ensured and that harmful practices, such as female genital mutilation, early and forced marriages, gendercide, including girl infanticide, forced abortions or female foeticide, honour crimes, denying women a proper education, the commercial sexual exploitation of women and domestic violence can never be justified on any political, social, religious or cultural grounds or on the basis of any popular tradition, and should therefore be banned, and violations of such prohibitions severely punished in accordance with the law and due process; notes, in this regard, the undeniable benefits, in terms of development, to be gained from the emancipation of women and greater gender equality; emphasises, also, the importance and indispensability of children's rights and the need for all ACP countries and EU Member States to comply strictly with the Declaration on the Rights of the Child;
27. Calls on the EU and the ACP countries to implement a better-coordinated approach to combating the deliberate destruction of cultural heritage, illegal trafficking and smuggling of cultural goods, working in close cooperation with UNESCO and the other international organisations concerned;
28. Emphasises, in particular, that children's rights in general, and specifically those relating to issues such as children in conflict or child labour, must be strictly upheld;

**International and regional cooperation and development policy**

29. Stresses the crucial role of parliamentarians in promoting and protecting human rights; adds that interparliamentary meetings, such as the ACP-EU JPA, help to foster tolerance and promote cultural diversity;
30. Considers that the establishment of new structures on inter-religious dialogue between the EU and the ACP countries for exchanging views and best practices would represent an effective mechanism for promoting mutual respect and contributing to conflict management in regions affected by religious intolerance and extremism;

31. Calls on the ACP and EU countries to increase the allocation of resources to international cooperation and, in particular, to step up their interaction in the relevant international organisations;
32. Recalls its attachment to multilateral solutions in a context of global uncertainty, extreme poverty and social and economic injustice in the ACP and EU countries, which work against peaceful coexistence and mutual understanding between peoples and cultures;
33. Acknowledges the role of cross-cultural dialogue and exchange, such as through the sharing of folklore, art and heritage, in nurturing co-existence and peace-building within and among states;
34. Instructs its Co-Presidents to forward this resolution to the institutions of the African Union and of the European Union, the ACP Council, the ACP Group's regional integration organisations and the Secretary-General of the United Nations.

# ACP-EU JOINT PARLIAMENTARY ASSEMBLY

ACP-EU/101.868/15/fin.

## RESOLUTION<sup>1</sup>

**on the financing of investment and trade, including infrastructure, in ACP countries by the EU blending mechanism**

The ACP-EU Joint Parliamentary Assembly,

- meeting in Suva (Fiji) from 15 to 17 June 2015,
- having regard to Article 18(1) of its Rules of Procedure,
- having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 (the Cotonou Agreement)<sup>2</sup>, in particular Article 21 thereof, and revisions of the Cotonou Agreement in 2005 and 2010<sup>3</sup>,
- having regard to the European Parliament resolution of 23 October 2012 on ‘An Agenda for Change: the future of EU development policy’<sup>4</sup>,
- having regard to the Commission communication of 13 October 2011 entitled ‘Increasing the impact of EU Development Policy: an Agenda for Change’ (COM(2011)0637 – SEC(2011)1172 – SEC(2011)1173)<sup>5</sup>,
- having regard to the Commission communication entitled ‘A Stronger Role of the Private Sector in Achieving Inclusive and Sustainable Growth in Developing Countries’ (COM(2014)0263),
- having regard to the report from the Commission to the Council and the European Parliament on the activities of the EU Platform for Blending in External Cooperation since its establishment until end July 2014 (COM(2014)0733),

<sup>1</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 17 June 2015 in Suva (Fiji).

<sup>2</sup> OJ L 317, 15.12.2000, p. 3.

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

<sup>4</sup> Texts adopted, P7\_TA(2012)0386.

<sup>5</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A52011DC0637&qid=1412922281378&from=EN>.

- having regard to Special Report No 16/2014 of the European Court of Auditors on the effectiveness of blending regional investment facility grants with financial institution loans to support EU external policies,
  - having regard to the European Development Fund investment facility and the support offered by the European Investment Bank to the ACP countries,
  - having regard to the EU-Africa Infrastructure Trust Fund and the investment facilities for the Caribbean and Pacific countries,
  - having regard to the EU Platform for Blending in External Cooperation, led by the European Commission's Directorate-General for Economic and Financial Affairs and Directorate-General for International Cooperation and Development,
  - having regard to the conclusions of 12 December 2013 of the Council of the European Union and of the representatives of the governments of the Member States, meeting within the Council, on financing poverty eradication and sustainable development beyond 2015,
  - having regard to the report of the Intergovernmental Committee of Experts on sustainable development financing,
  - having regard to the ACP-EU Joint Declaration of 12 June 2014 on the Post-2015 Development Agenda (ACP/84/025/14 Rev.5),
  - having regard to the synthesis report of the UN Secretary-General on the post-2015 sustainable development agenda entitled 'The Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet'<sup>1</sup>,
  - having regard to the non-paper from the UN Department of Economic and Social Affairs of 21 January 2015 on the 'Preparatory Process for the 3rd International Conference on Financing for Development'<sup>2</sup>,
  - having regard to the Open Working Group established on 22 January 2013 by decision 67/555 (A/67/L.48/rev.1) of the UN General Assembly,
  - having regard to the Busan Partnership for Effective Development Cooperation, adopted at the fourth OECD High Level Forum on Aid Effectiveness, held in Busan, Republic of Korea, from 29 November to 1 December 2011,
- A. whereas the private sector is not only a key factor for economic growth, job creation, the supply of goods and services, and trade and innovation, but is also an important source of external financing and helps mobilise the internal resources required to meet the financial needs of developing countries;

<sup>1</sup> [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/69/700&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/69/700&Lang=E) .

<sup>2</sup> [http://www.un.org/esa/ffd/wp-content/uploads/2015/01/FFD\\_Elements-paper\\_drafting-session.pdf](http://www.un.org/esa/ffd/wp-content/uploads/2015/01/FFD_Elements-paper_drafting-session.pdf).

- B. whereas Foreign Direct Investment has the potential to contribute to the achievement of the Sustainable Development Goals, as reflected in the UNCTAD proposal for an Action Plan for SDG investment, provided that FDI is properly regulated and linked to concrete improvements in the domestic economy, including in terms of transfer of technology and the creation of training opportunities for the local labour force, including women and young people;
- C. whereas blending, as carried out through EU facilities, entails a combination of market (or concessional) loans with grant (or grant equivalent) components depending on need, such as direct investment grants, technical assistance, interest rate subsidies and other financial instruments, including guarantee mechanisms in the framework of ACP-EU development cooperation;
- D. whereas the European Commission envisaged in its 2011 ‘Agenda for Change’ that a higher share of EU aid would be channelled through innovative financial instruments, including facilities for blending grants and loans, and that the EU would further develop blending mechanisms to boost financial resources for development, building on successful experiences such as the European investment facilities (for the European Neighbourhood, the Western Balkans, Latin America and Central Asia) and the EU-Africa Trust Fund for infrastructure;
- E. whereas so far the regional investment facility has been generally effective, but further improvements are needed in its set-up and operation, for instance by preparing guidelines and participating in the EU Platform for Blending in External Cooperation;
- F. whereas the EU Platform for Cooperation and Development, incorporating the European Commission, the Member States, the European Parliament and European financial institutions, acts as a major forum by providing recommendations on the use of blending with a view to further increasing the effectiveness and efficiency of the blending mechanism;
- G. whereas the EU in particular has placed greater emphasis on the opportunities offered by blending, i.e. the possibility of combining grant aid with non-grant resources, such as loans, risk capital or equity;
- H. whereas the blending mechanism is an important vehicle for leveraging additional resources for development and increasing the impact of EU aid;
- I. whereas Special Report No 16/2014 of the European Court of Auditors on the use of blending concluded that for nearly half of the projects examined there was insufficient evidence to conclude that the grants were justified, while in a number of cases there were indications that the investments would have been made without the EU contribution;
- J. whereas the blending mechanism should contribute to encouraging the participation of local people in ACP countries in full compliance with the principle of ownership;
- K. whereas the Commission is exploring options for expanding the scope of blending into new areas, such as sustainable agriculture, the social sectors and renewable energies, as well as for facilitating the implementation of an increased number of projects that

have a strong impact on local private-sector development, such as those improving SME access to finance through the creation of dedicated private-sector windows in regional blending facilities;

- L. whereas the Busan Partnership for Effective Development Cooperation recommends that innovative financial mechanisms be developed to mobilise more private finance in support of development goals;
- M. whereas the ACP countries have limited public resources and enormous investment funding needs;
- N. whereas the ACP countries have difficulty in financing their own development and in accessing domestic and international private capital;
- O. whereas the current economic crisis has severely affected emerging and developing countries by directly impacting on their budgetary policies and on their access to both the institutional and private funds needed to carry out capital-intensive projects and to provide basic services;
- P. whereas today development policy funding is predominantly private in nature; whereas private financing can complement, but not replace, public funding;
- Q. whereas the involvement of both the private and public sectors can help to improve the costs, effectiveness, efficiency and quality of public services and avoid unfair privatisation processes;
- R. whereas development financing must be adapted to fit the changing global environment, and whereas, therefore, appropriate new innovative financing instruments, such as financial transaction taxes and carbon taxes on international aviation and maritime transport, should be devised and implemented;
- S. whereas private financing offers enormous potential and is the main source of external funding in developing countries, and whereas such countries should take all appropriate steps to exploit their comparative advantages; whereas, however, the fiscal space of developed and developing countries is de facto constrained by the requirements of global investors and financial markets;
- T. whereas private investment should not be a substitute for official development assistance, and whereas public-private partnerships (PPPs) financed through the blending mechanism should in all circumstances be aligned with the host country's national development plan, while mobilising funding through risk mitigation and risk sharing;
- U. whereas, in geopolitical and development strategy terms, the ACP countries have different risk profiles and no common approach, and whereas loan-grant blending ensures that projects that could be viable but are insufficiently profitable or generate high risk can attract private investment;
- I. Recognises that private investment and finance in developing countries, if properly regulated, can help to support local companies and local economies and provide

decent jobs; to that effect, deems that the use of the blending mechanism should respond to a clear set of guidelines so as to channel public support only to those private-sector investments that deliver positive development outcomes and comply with the principles of responsible financing;

2. In particular, urges the European Commission, which has indicated its wish to extend considerably the use of blending in future years in the context of ACP-EU cooperation, to implement the recommendations made in the European Court of Auditors' Special Report on the use of blending and to evaluate the mechanism of blending loans and grants, particularly in terms of development and financial additionality, transparency and accountability;
3. Welcomes the ongoing work aimed at improving the governance of EU blending facilities, which will make it possible to maximise the leverage and the additionality of funded projects; stresses that the European Commission should further improve the monitoring of how EU grants are implemented;
4. Takes the view that blending is progressive and logical in terms of the volumes of money and the loan-grant ratio and points out that this arrangement ensures that countries can obtain funding without becoming over-indebted;
5. Points out that past experience shows that poorly negotiated PPP contracts could add to state indebtedness, since financial risks are often disproportionately borne by the public sector, while profits mostly accrue to the private sector; calls for increased technical assistance to the governments of partner countries in setting up a sound regulatory framework on responsible financing, including on cost recovery and benefit distribution;
6. Notes that grant-loan blending is used mainly in the energy, transport, water and ICT sectors, and should be further extended to such areas as infrastructure, micro, small and medium enterprises (MSMEs), agriculture and the social sector;
7. Points out that the use of the blending mechanism should focus on projects that can have the greatest impact in terms of inclusive and sustainable growth;
8. Observes that the blending mechanism, in its current form, involves the mixing of public grants with loans from financial institutions and other risk-sharing mechanisms, allowing projects to be financed in spite of budget constraints at a time of financial crisis; stresses that PPPs should not be diverted into subsidising North-based transnational companies, which can access alternative sources of financing;
9. Takes the view that any decision to promote the use of PPPs through blending in developing countries should be based on a thorough assessment of the mechanisms involved, and on the lessons learned from past experience; stresses, in this context, that existing research shows that a large majority of PPPs are not based on a robust impact analysis, and that there is weak evidence concerning their development outcomes;
10. Stresses that development agencies must ensure that public development finance is used to support local economic networks in developing countries; in particular,

stresses that PPPs should aim to build the capacity of domestic MSMEs;

11. Stresses that in order to optimise the potential of loan-grant blending, transparent procedures for using the blending mechanism need to be established to ensure effective governance and ownership by the beneficiary countries and other stakeholders; takes the view that transparent practices should provide a basis for tight accountability;
12. Emphasises that loan-grant blending does not resolve all funding problems and does not automatically guarantee a lasting impact that is in line with the beneficiary country's objectives, in particular as regards the needs of the social sectors; in this respect, warns against using concessional loans for investments in social sectors such as health and education, as this can hamper the provision of services of general interest, especially for vulnerable populations; emphasises that scarce public aid resources should support public investment, which is not necessarily expected to yield short or medium-term financial returns, in recipient countries;
13. Stresses that loan-grant blending mechanisms, while providing financial and non-financial benefits, may also entail substantial risks associated with ownership, indebtedness and opportunity costs, and may also raise questions regarding their effectiveness and impact, the additionality of resources and market distortion;
14. Notes that access to finance and risk-sharing instruments in developing countries is an important prerequisite for the functioning of loan-grant blending; calls, therefore, for the setting up of a risk-sharing mechanism in collaboration with the European development financing institutions, as well as with national and regional agencies, in order to increase public-private investment, in particular in areas such as renewable energies, construction, transport and utilities, which are characterised by high up-front investment, high risk exposure and often unfair international competition;
15. Stresses the importance of developing PPPs as part of the loan-grant blending process and of creating a forum for political dialogue and project coordination between the European Union and the ACP countries as a step towards achieving the objectives of development and aid effectiveness, while guaranteeing a clear, stable and secure environment, good governance and effective dispute settlement;
16. Encourages ACP countries to strengthen the legislative framework required to enhance PPPs within the blending mechanism;
17. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council of Ministers, the European Parliament, the European Commission, the European Council, the African Union, the Pan-African Parliament, the regional and national parliaments, the regional organisations relating to ACP countries, and the European Investment Bank.

## ACP-EU JOINT PARLIAMENTARY ASSEMBLY

ACP-EU/101.756/15/fin.

### RESOLUTION<sup>1</sup>

#### on the challenges and opportunities of education and vocational training in ACP countries

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Suva (Fiji) from 15 to 17 June 2015,
- having regard to Article 18(1) of its Rules of Procedure,
- having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000<sup>2</sup> (the ‘Cotonou Agreement’), as first amended in Luxembourg on 25 June 2005<sup>3</sup> and as amended for the second time in Ouagadougou on 22 June 2010<sup>4</sup>, in particular Article 25(1)(a) thereof on improving education and training at all levels,
- having regard to the Millennium Development Goals (MDGs), in particular Goal 2A, to achieve universal primary education, and 3A, to eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015,
- having regard to the UNESCO Convention against Discrimination in Education,
- having regard to the European Parliament resolution of 25 October 2012 on the EU 2011 Report on Policy Coherence for Development<sup>5</sup>,
- having regard to the establishment of the Education for All (EFA) movement in Jomtien, Thailand, and the signing of the Declaration on Education for All on 9 March 1990,
- having regard to the EFA goals adopted at the World Education Forum in Dakar, Senegal on 28 April 2000,
- having regard to the conclusions of the UN Conference on Sustainable Development (Rio+20) on 22 June 2012 in Rio de Janeiro entitled ‘The future we want’,

<sup>1</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 17 June 2015 in Suva (Fiji).

<sup>2</sup> OJ L 317, 15.12.2000, p. 3.

<sup>3</sup> OJ L 287, 28.10.2005, p. 4.

<sup>4</sup> OJ L 287, 4.11.2010, p. 3.

<sup>5</sup> OJ C 72 E, 11.3.2014, p. 21.

- having regard to the five-year Global Education First Initiative (GEFI) launched by the United Nations Secretary-General in September 2012,
  - having regard to the report on the Global Thematic Consultation on Education in the Post-2015 Development Agenda published in September 2013 by UNESCO and UNICEF,
  - having regard to the Muscat Agreement adopted at the Global Education for All Meeting in Muscat, Oman, on 14 May 2014,
  - having regard to the report of 24 September 2014 of the UN Special Rapporteur on the right to education, Kishore Singh,
  - having regard to the African Union document of 31 May 2007 on a Strategy to revitalise technical and vocational education and training (TVET) in Africa,
  - having regard to the report of the Committee on Social Affairs and the Environment (ACP-EU/101.717/14/fin.),
- A. whereas the Cotonou Agreement calls for special attention to be paid to ensuring adequate levels of spending in the social sectors, including improving education and training at all levels, working towards recognition of tertiary education qualifications, establishment of quality assurance systems for education, including education and training delivered online or through other non-conventional means, and building technical capacity and skills;
  - B. whereas the worldwide EFA movement, initiated in Jomtien in 1990 and reaffirmed in Dakar in 2000, has been the most important commitment to education in recent decades and has helped to drive significant progress in education;
  - C. whereas GEFI aims to accelerate progress towards the EFA goals and the education-related MDGs, in particular to rally together a broad spectrum of actors for the final push to 2015, to put quality, relevant and transformative education at the heart of the social, political and development agendas and to advocate for the necessary funding for education through sustained global advocacy efforts;
  - D. whereas the EFA agenda and the education-related MDGs are unlikely to be achieved by 2015, and whereas the continued relevance of the EFA agenda is to be acknowledged, in particular concerning six goals covering all aspects of basic education from early learning and adult literacy to education quality;
  - E. whereas there is a link between the level of economic, social, cultural and political development and the progress a country can achieve in the attainment of MDGs and EFA Goals; whereas improving access to education and levels of educational provision for all young people, and especially for girls and disabled young people, can in itself help to achieve these and other development goals;
  - F. whereas more than 57 million children and 69 million adolescents still do not have access to effective basic education; whereas in 2011 an estimated 774 million adults, of whom almost two-thirds were women, were illiterate and at least 250 million children

- are not able to read, write or do basic arithmetic even after having spent at least four years in school;
- G. whereas non-completion of formal schooling, insufficient levels of basic skills acquisition and the poor quality and relevance of education are serious problems and whereas there are persistent inequalities in access, participation and learning outcomes at all levels of education, particularly for the most vulnerable groups and minorities;
- H. whereas the 2014 report of the UN Special Rapporteur on the right to education stated that where there has been increasing privatisation of education this can aggravate marginalisation and exclusion, and that it drives inequality in access to education for already vulnerable groups such as girls, disabled children and ethnic minorities, thus perpetuating wider inequalities in society;
- I. whereas the lack of appropriate access facilities in education and training institutions impedes the inclusion of people with disabilities in exercising their basic right to education;
- J. whereas gender inequality in education is of particular concern, as only 60% of countries had achieved gender parity at the primary level and 38% at the secondary level by 2011;
- K. whereas there is a severe lack of financial resources for education and vocational training in many ACP countries, both at national and international level for the sector, which has seriously undermined progress towards providing access to quality education for all;
- L. whereas inclusive and accessible high-quality formal and informal education for all is key to reducing social inequalities and empowering marginalised communities and underrepresented persons, particularly women and girls, thus contributing to active citizenship, an open and dynamic public sphere and improved democratic governance;
- M. whereas the empowerment of women and girls through education is key to combating gender inequality in societies, and should be a central element in educational policy in ACP countries; whereas, on the other hand, lack of access to education for women and girls contributes to their under-representation in the public, social and political spheres;
- N. whereas there is increasing violence and attacks against children and personnel working in educational institutions in certain ACP countries, in particular in Nigeria, Kenya and neighbouring countries;
- O. whereas there have been significant socioeconomic and demographic transformations that have occurred since the adoption of the EFA goals and the MDGs, and there are changing requirements in the type and level of knowledge, skills and competences for knowledge-based economies;
- P. whereas young people are central to the next generation of Sustainable Development Goals (SDGs), especially those aimed at achieving inclusive and sustainable economic growth, full and productive employment and decent work for all;

- Q. whereas the brain drain in ACP countries constitutes a major challenge for their economies, which they cannot resolve with their limited resources;
- R. whereas education can play a pivotal role not only in environmental sustainability, health and economic growth, and in the achievement of the MDGs in general, but also in peace-building; whereas education, perhaps more than any other sector, can provide the highly visible early peace dividends on which the survival of peace agreements may depend; whereas if education systems are inclusive they can create sustainable and equitable economic development and if they are geared towards fostering attitudes conducive to mutual understanding, tolerance and respect they can make societies less susceptible to violent conflict;
- S. whereas there must be a flexible education system (schools, teachers, universities and administrators) which has the confidence and methods to meet both ordinary and extraordinary challenges, and is linked to a stable family environment; whereas the role of the family is fundamental to lifelong development, and in particular development during childhood, for values and personal skills;
- T. whereas it is necessary to ensure that education systems respect the culture and traditions of ACP countries, so as to achieve an effective combination of innovation and tradition and ensure that training in ACP countries provides recipients with the necessary skills in teaching and in conserving the typical characteristics of the countries concerned;
- U. whereas fragmentation and low capacity of governance structures, lack of connections with the labour market, poorly qualified teachers and poor infrastructures prevent vocational training from empowering people to develop their full capabilities and to seize social and employment opportunities;
- V. whereas under the 10th EDF the EDULINK and ACP-EU Science and Technology programmes for higher education and research, financed by the EU and implemented by the ACP Secretariat, are an excellent foundation for cooperation in the field of education and technical training;
- W. whereas teachers and professors with the necessary qualifications are needed to achieve the goals of better education; whereas all countries should be encouraged to promote the structures needed to provide life training for educators as a key factor in improving levels of education;
- X. whereas sustainable organisation, financing and management of education can help countries achieve their economic and social objectives;
- Y. whereas the private sector can make a valuable contribution to education, not only by funding higher education institutions, but also by fostering innovation and promoting entrepreneurship in ACP countries;
- Z. whereas education is necessarily linked to social inclusion and active citizenship;

- AA. whereas the merging of private-sector demands with training for young people can help to achieve two important objectives: job opportunities for young people and the economic growth of ACP countries;
1. Recognises that there is a strong need for a new and forward-looking education and training agenda for ACP countries that goes beyond the current goals in terms of depth and scope, as well as providing people with the understanding, competences and values they require to address the many challenges that our societies and economies are facing;
  2. Emphasises the multiple benefits of investing in high-quality apprenticeships, such as enhanced professional skills, the development of a professional identity and more job opportunities;
  3. Recognises that education is a shared responsibility of both families and schools, and calls for the adoption of the measures needed to support families in their role as educators;
  4. Calls for ACP countries to eradicate child labour and improve education by expanding school access, increasing school quality and reducing school costs;
  5. Urges ACP states to provide second-chance education programmes to equip those in need with literacy and numeracy skills, as well essential life skills;
  6. Recalls that education plays a crucial role in balancing life chances for children with different family and socioeconomic backgrounds; calls for the full implementation of the six EFA goals, with emphasis on primary education for expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children, and ensuring that all children, particularly girls, those in difficult circumstances and those belonging to ethnic minorities, have access to, and complete, free and compulsory primary education of good quality;
  7. Calls for the learning needs of all young people and adults to be met through equitable access to appropriate learning and life-skills programmes with the aim of achieving a 50% improvement in levels of adult literacy, especially for women, people with special education needs, nomadic groups, displaced persons, refugees and other vulnerable groups, and equitable access to basic and continuing education for all adults;
  8. Calls for the elimination of gender disparities in education at all levels, with a focus on ensuring girls' full and equal access to and completion of good quality education; calls on ACP states to address issues such as inadequate standards of sanitation and provision of sanitary protection, which can have an impact on, in particular, the drop-out rates of young girls reaching puberty;
  9. Calls for improvements in all aspects of the quality of education and for excellence to be ensured so that recognised and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills, which are crucial to achieving the strategic objectives of the ILO Decent Work for All agenda; calls for the introduction of social indicators to measure the results obtained;

10. Calls for ACP countries to strive for the attainment of sustainable, equitable and self-reliant economic development to meet the demand for equitable access and quality education, adult literacy, lifelong learning and the acquisition of skills for all citizens; stresses equally the need to bring the content of secondary education more into line with labour market demands; calls, in particular, for technical and vocational education and training (TVET) to target the particular needs of, and take into account the constraints on, the informal sector in Sub-Saharan Africa so as to serve the whole economy rather than being limited largely to training for the modern industrial sector;
11. Stresses that investing in education and training is essential for a better future, key competences and new skills, which provide people with new opportunities and also establish the foundations of economic development and social development in the long term; stresses that the creation of a new strategy for language learning to improve general knowledge in specific skill areas will facilitate the mobility of students;
12. Calls for education to be a stand-alone goal in the broader post-2015 development agenda and for equitable and inclusive quality education and lifelong learning for all by 2030 to be the overarching goal; notes, in this regard, that Vocational and Educational Training (VET) will play an important role in ensuring that young people and adults have the necessary skills for decent work and life;
13. Calls on ACP states to implement the 'Incheon Declaration for Education 2013: towards inclusive and equitable quality education and lifelong learning' and the forthcoming Framework for Action that will be adopted as SDG 4 at the UN Special Summit to be held in New York City in September 2015;
14. Calls on ACP states to devise innovative strategies to improve teacher education programmes in general and teachers' living conditions in particular and to guarantee the retention of teachers in schools;
15. Calls on ACP states to give the appropriate emphasis to, and make the necessary improvements in, the curricula of subjects such as information technology, citizenship education, fine arts and physical education in support of VET;
16. Calls on ACP states to encourage the private sector to play its role in the development of education and VET;
17. Calls on ACP states to address fair access to the completion of education and VET of good quality for the rural, the disadvantaged, the hard to reach and the marginalised sectors of society through various incentive schemes and other relevant strategies;
18. Calls on ACP states to respect cultural, moral and religious values and other values such as self-reliance and independent thinking in their primary and secondary education curricula and to tackle all forms of radicalisation either on the part of teaching staff or through external influences;
19. Calls for educational programmes in ACP states to address common educational challenges through regional integration and cooperation, in particular in the areas of higher education and technical and vocational training;

20. Calls for a farsighted social and environmental approach to education and training programmes in ACP states, addressing the need for education on sustainable development, as well as in the fields of ICT and new technologies; calls on ACP states to develop strategies and invest in entrepreneurship education, particularly social entrepreneurship and extra-curricular and informal education;
21. Encourages all countries to promote the structures needed to ensure life training for educators as a key factor in improving educational levels;
22. Recognises the need for educational programmes to take into account such adverse situations as pandemics, natural disasters and conflict or post-conflict environments, and to prepare citizens in general, and children and young people specifically, for recovery or peace-building and reconciliation;
23. Calls on governments to promote public policies to recalibrate educational programmes with economic and industrial demands in their local economies, including educational programmes on arts and humanities;
24. Stresses that adapting educational programmes to economies and the needs of the labour market would allow for more job opportunities and personal development, as well as economic growth; highlights, in this regard, the key role of VET in national development and in preparing individuals for the world of work by teaching them skills and competences needed for economic competitiveness;
25. Calls for the role of educators and the value of their job to be protected and recognised;
26. Calls for the establishment of sustainable infrastructure for technical and vocational training in order to meet the goal of highly skilled citizens achieving a good transition from school to the labour market, and calls for the incorporation of teacher training programmes into national skills strategies, as well as emerging technologies, involving industry, to ensure that entrepreneurship is integrated into these programmes; considers that the development of an international, competitive labour market must respect human dignity; recognises the growing importance of public-private partnerships with a view to achieving universal education goals;
27. Calls for measures to facilitate the transition from education to the world of work that encourage entrepreneurship, taking into account the specific economic structures of the ACP countries, placing emphasis on small undertakings and family businesses and finding innovative ways of enabling them to keep alive local traditions and typical characteristics;
28. Calls on EU and ACP governments to consider schemes that increase cooperation across borders, regionally and together with EU Member States, facilitate teacher exchange programmes for learning best practices and help retain skills in-country, thus addressing the issue of brain drain;
29. Points out that education and vocational training have the potential to give marginalised people the opportunity to return to education; stresses that the use of non-school training, focused on the world of work, with close links to the local labour market and

- integrating formal and non-formal education, can represent a credible alternative for learners who are less oriented towards the academic world;
30. Calls for national education and training strategies to incorporate measures to prevent brain drain, including proper incentives, in terms of salary, housing and other entitlements, to encourage trained teaching staff and trainees benefitting from vocational training programmes to remain in or return to their country of origin, thereby contributing to their own society and economy rather than being lured abroad to work in developed countries, and calls for the ACP-EU partnership to be instrumental in meeting this challenge in ACP countries;
  31. Recognises the need to mobilise additional financing to develop public education in ACP countries, in particular in Sub-Saharan Africa, where there is a need to expand secondary education, to provide second-chance programmes for those who have missed out on primary education, to tackle continued rapid population growth and to address the quality and relevance of education; acknowledges that expanding government revenue through taxation is challenging in largely rural-based economies which generate a very narrow tax base; accordingly, calls on the EU to scale up its cooperation with ACP countries on tax matters to enable them to enhance mobilisation of public resources; to this end, calls equally upon the EU to, inter alia: take the lead in clamping down on tax evasion and tax avoidance practices; ensure a fair distribution of taxing rights while negotiating tax and investment treaties; and allow ACP countries to tax exports of raw materials, etc. so as to enable them to expand their fiscal space, with the aim of increasing the share of education in total public budgets;
  32. Calls on ACP states to ring-fence a proportion of their national budgets for the primary and secondary education sectors;
  33. Condemns any action undertaken to prevent children from attending schools, in particular the terrorism of Boko Haram, which literally translates as 'Western education is forbidden', since its main aim is to destroy the education of children, in particular of girls, in northern Nigeria and in neighbouring countries in the region, where it is expanding its activities; deplores the loss of life in the terrorist attack at Garissa University in Kenya and calls for concerted international action to fight this scourge and all forms of terrorism in order to defend the right to education;
  34. Notes, in a context where a shortage of schools, poorly trained teachers and outdated curricula and equipment have already led to deterioration in the quality and relevance of secondary education in Sub-Saharan Africa, that demand-side constraints, such as the inability to pay school fees, have made upper secondary education in particular inaccessible to large segments of the population; acknowledges that, in a context where public education financing is limited, education and training provided by privately financed institutions can alleviate the costs involved; notes, however, the risks of exacerbating inequalities with poorly funded public schools focusing on rural areas and families with modest means, and private schools serving financially more able families in urban areas; warns ACP countries, therefore, against developing a two-speed education system that risks exacerbating inequalities through private finance, and calls on them to prioritise public financing; calls equally on the EU to increase its support for public secondary education in terms of academic as well as technical and vocational skills training;

35. Praises the work of the EU and ACP authorities in implementing the EDULINK and ACP Science and Technology programmes and calls for the experience obtained from these initiatives to be rolled out in other areas of education and vocational and technical training in the 11th EDF;
36. Encourages ACP governments to prioritise education as a focal sector in the programming process for the 11th EDF documents for national, regional and intra-ACP allocations, and calls for basic education to be mainstreamed into all areas of development cooperation;
37. Calls on higher education institutions from ACP countries to participate actively in the EU Erasmus+ programmes, particularly with regard to capacity-building projects aiming to develop and reform higher education institutions and systems by enhancing their quality and relevance as well as by promoting regional cooperation and increasing convergence;
38. Welcomes the European Commission's initiative to reform its VET programmes for developing countries and other VET-related projects in order to introduce a new strategy based on labour market intelligence, public-private partnership and better governance, ensuring sustainable development and helping small enterprises in particular to conserve the specific characteristics and values of the ACP countries, while respecting the environment and ensuring quality jobs that encourage rather than undermine employment market opportunities for both genders;
39. Calls for projects for job creation through constant interaction between the worlds of education and work;
40. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council of Ministers, the European Parliament, the European Commission, the Presidency of the Council of the European Union, the African Union, the Pan-African Parliament, UNESCO and the UN Children's Fund.

## ACP-EU JOINT PARLIAMENTARY ASSEMBLY

ACP-EU 101.878/15/fin

### RESOLUTION<sup>1</sup>

#### on the situation in the Central African Republic

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Suva (Fiji) from 15 to 17 June 2015,
- having regard to Article 18(2) of its Rules of Procedure,
- having regard to the revised Cotonou Agreement,
- having regard to the Libreville Agreement of 11 January 2013 on the resolution of the political and military crisis in the Central African Republic (CAR), signed under the aegis of the Heads of State and Government of the Economic Community of Central African States (ECCAS), which lays down the steps needed to end the crisis in the CAR,
- having regard to UN Security Council Resolutions 2088 (2013) of 24 January 2013, 2121 (2013) of 10 October 2013, 2127 (2013) of 5 December 2013, 2134 (2014) of 28 January 2014, 2149 (2014) of 10 April 2014, 2181 (2014) of 21 October 2014, 2196 (2015) of 22 January 2015, 2212 (2015) of 26 March 2015 and 2217 (2015) of 28 April 2015,
- having regard to statement S/PRST/2014/28 by the President of the UN Security Council on 18 December 2014,
- having regard to the letter of 29 January 2015 from the UN Secretary-General to the President of the UN Security Council,
- having regard to the 7329th meeting of the UN Security Council, held on 9 December 2014,
- having regard to the final report of the International Commission of Inquiry on the Central African Republic of 19 December 2014,

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<sup>1</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 17 June 2015 in Suva (Fiji).

- having regard to the setting-up, in May 2013, of an International Contact Group on the Central African Republic with the task of coordinating the measures taken at regional, continental and international level to find a lasting solution to the recurrent problems facing the country,
- having regard to the conclusions of the seventh meeting of the International Contact Group, held in Brazzaville (Republic of the Congo) on 16 March 2015,
- having regard to the European Commission press release of 16 February 2015 entitled ‘EU boosts humanitarian aid to EUR 156 million in 2015 to meet the increasing needs in the Sahel region’,
- having regard to the press release issued by the United Nations Development Programme on 8 June 2015 entitled ‘USD 21 million needed as a matter of urgency for the elections in the Central African Republic’,
- having regard to the international conference on the Central African Republic, entitled ‘From humanitarian aid to resilience’, held in Brussels on 26 May 2015 and to the European Commission press release issued in connection with the conference, entitled ‘The EU boosts its support to recovery and development in the Central African Republic’,
- having regard to the extraordinary summits of the Heads of State and Government of ECOWAS held in N’Djamena (Chad) on 21 December 2012 and 3 and 18 April 2013 and to the decision taken at those summits to set up a Transitional National Council to exercise legislative and constitutional powers and to adopt a roadmap for transition in the CAR,
- having regard to the 1998 Rome Statute of the International Criminal Court, ratified by the CAR in 2001,
- having regard to the International Covenant on Civil and Political Rights of 1966, the Convention on the Elimination of all Forms of Discrimination Against Women of 1979, the African Charter on Human and Peoples’ Rights of 1981 and the Convention on the Rights of the Child of 1989, which bans the involvement of children in armed conflicts, all of which have been ratified by the CAR,
- having regard to United Nations General Assembly Resolution 60/1 of 24 October 2005 on the 2005 World Summit Outcome, and in particular to paragraphs 138 to 140 thereof on the responsibility to protect,
- having regard to the Optional Protocol to the Convention on the Rights of the Child concerning the involvement of children in armed conflicts, which has been signed by the CAR,
- having regard to the adoption by the Peace and Security Council of the African Union, on 10 October 2013, of a revised Concept of Operations,

- having regard to the conclusions of the Council of the European Union of 9 February 2015 on the CAR,
  - having regard to the European Parliament’s resolutions of 17 January, 12 September and 12 December 2013 on the situation in the CAR,
  - having regard to its previous resolutions of 19 June 2013 and 19 March 2014 on the CAR,
- A. whereas the Central African Republic, a country rich in natural resources, has been in the grip of political instability for several decades, and whereas 70% of its population lives below the poverty line;
  - B. whereas the two years of civil war which have followed Séléka’s takeover of power have triggered a devastating political and humanitarian crisis;
  - C. whereas a new provisional Head of State, Catherine Samba-Panza, was elected by the National Transitional Council on 20 January 2014;
  - D. whereas the persons responsible for human rights violations and war crimes are not being brought to justice because the CAR has an inadequate national judicial system, creating a climate of impunity;
  - E. whereas, despite an improvement in the security situation, violence, acts of banditry, robberies and inter-community tensions affecting herders are continuing;
  - F. whereas the UN peacekeepers have improved the protection of civilians in the capital, but they are having problems in carrying out their mandate in other parts of the country, which they cannot enter because of the presence of armed groups; whereas the UN peacekeepers and humanitarian aid workers have been the targets of many attacks;
  - G. whereas, as a result of the instability in the CAR, 70% of children are not attending school and more than 6000 children have been recruited by the armed forces and armed groups; whereas on 5 May 2015 armed groups in the CAR concluded an agreement to release child soldiers;
  - H. whereas a United Nations report, drawn up in 2014 but published by *The Guardian* only on 29 April 2015, revealed that a number of French soldiers deployed to keep the peace in the CAR are suspected of sexually abusing minors;
  - I. whereas the UN Security Council has authorised an increase in personnel for the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), and has decided to extend its mandate until 30 April 2016 and to set its authorised strength at 10 750 soldiers, including 480 military observers and

staff officers, and 2080 police personnel, including 400 police officers and 40 corrections officers;

- J. whereas financial aid is essential if security and the authority of the State are to be restored; whereas this aid cannot be made contingent on the establishment of a zero level of risk or of complete security;
- K. whereas a minimum degree of administrative reorganisation of the State is essential if elections are to be held and the post-electoral transition is to be organised; whereas an additional amount of USD 21.2 million is needed as a matter of the utmost urgency to fund the preparations for the elections which are due to be held in the CAR before the end of 2015;
- L. whereas the European Union is the CAR's most important humanitarian aid and development partner; whereas on 15 July 2014 the EU launched its first trust fund for the CAR; whereas in 2013 and 2014 the EU provided EUR 377 million in humanitarian aid and has already mobilised a further EUR 47 million in 2015; whereas at the international conference held in Brussels on 26 May 2015 the Commission increased its total aid to the CAR by EUR 72 million;
- M. whereas on 27 May 2015 only 21% of the funding required for the humanitarian response plan (HRP) for the CAR had been made available;
- N. whereas measures to uphold human rights are a key component of the Cotonou Agreement; whereas a law setting up a special criminal court responsible for investigating the most serious crimes and prosecuting the perpetrators of war crimes and crimes against humanity in the CAR has been adopted by the Transitional National Council and promulgated by the Head of State, in close cooperation with the International Criminal Court;
- O. whereas the final report of the International Commission of Inquiry on the CAR, which was published on 20 January 2015, concluded that government forces under former President Bozizé and the Séléka and anti-Balaka groups all committed serious violations of international humanitarian law and human rights;
- P. whereas the national forum held in Bangui recommended that elections be held before the end of 2015, and whereas that recommendation has been confirmed by the ECCAS;
- Q. whereas the geographical position of the CAR is strategic in efforts to combat the expansion of terrorism in Central Africa;
- 1. Welcomes the progress made in the Central African Republic under the most recent agreements, but remains concerned about the security, humanitarian and economic situation;
- 2. Reiterates its support for the independence, unity and territorial integrity of the CAR; recalls the importance of the principles of non-interference and regional cooperation;

3. Reaffirms its support for the efforts by the Transitional President, Catherine Samba-Panza, and the International Contact Group on the CAR to complete the transition process in order to ensure stability, security and reconciliation among the various parties to the conflict;
4. Renews its support for the Libreville Agreement of 11 January 2013 and the N'Djamena Roadmap of 18 April 2013 as instruments essential to the restoration of the constitutional order;
5. Welcomes the holding of the Bangui Reconciliation Forum and the signature of the Disarmament, Demobilisation, Reintegration and Repatriation Agreement (DDRR) of 10 May 2015, and calls for its speedy and effective implementation by all parties and for the international community to make the requisite funding available for this purpose;
6. Supports the reform of the armed forces and the security forces, and the continuation of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic;
7. Welcomes the effective work of MISCA, EUFOR CAR and the Sangaris (French force) mission; welcomes the deployment of the European Union Military Advisory Mission in the CAR, but deplores the lack of contribution by many Member States; calls on the international community to increase its military capacities in the country and to provide all requisite support for the reinforcement of the international security forces, which are mainly African;
8. Encourages the Transitional Authorities in their efforts to restore confidence among all the people of the CAR and to respond to the multiple challenges which exist, such as repatriation of refugees, the return of displaced persons within the country, the rehabilitation of the local authorities, the establishment of a judicial system and of an effective administrative infrastructure, the battle against corruption and the re-establishment of basic services, particularly in the fields of health and education;
9. Draws attention to the importance of holding before the end of 2015 free, fair and transparent elections open to all, including to people returning to the country and those displaced within it;
10. Calls on the international community to bring to bear all resources necessary to enable these elections to be held, particularly by means of the electoral assistance programme;
11. Expresses its concern about the humanitarian situation and the risk of serious food shortages in the CAR; calls on the international community to mobilise all necessary resources and to improve coordination among the various donors;
12. Welcomes the increased support of the European Union in response to the humanitarian crisis; expresses its concern about the restrictions on access for humanitarian aid, and

condemns the instances of aggression against humanitarian workers; welcomes the decision by the European Union to send funds to Chad and Cameroon to finance their humanitarian efforts to assist the people of the CAR;

13. Calls on the international community to help the authorities of countries in the neighbourhood of the CAR which are feeling the impact of this conflict, particularly in terms of hosting refugees;
14. Urges the authorities of the CAR to take practical measures, with support from MINUSCA, to protect the civilian population and guarantee the security and unity of its territory, while fully respecting their obligations under international humanitarian law and law on refugees;
15. Strongly condemns the persistent violence to which so many people have fallen victim and which has compelled more than 850 000 people to flee, as well as the violations of international humanitarian law and human rights, including extrajudicial and summary executions, enforced disappearances, arbitrary arrests and detention, torture and sexual violence, and calls for stronger action to assist the victims, particularly by means of the provision of sexual and reproductive healthcare services;
16. Calls on the Government of the CAR to support the investigation by the International Criminal Court into war crimes and crimes against humanity, and calls on the authorities of the CAR to identify, prosecute and punish those responsible for them;
17. Calls for the immediate implementation of the agreement of 5 May 2015 to free child soldiers;
18. Calls on the United Nations to cooperate in a transparent manner with the French authorities investigating accusations that French soldiers have raped children;
19. Welcomes the decision by the UN Security Council to institute an arms embargo against the CAR;
20. Calls on the authorities of the CAR to draw up a national strategy to combat illegal exploitation of natural resources and networks for smuggling thereof, and recommends the adoption of a roadmap with clear indicators and an external monitoring system which will make it possible for the CAR to rejoin the Kimberley Process and the Extractive Industries Transparency Initiative;
21. Calls for the swift introduction of binding European legislation to prevent operators, including those outside Europe, from selling on European markets minerals which finance conflicts;
22. Suggests that the United Nations should establish under the auspices of MINUSCA a unit to combat the smuggling of diamonds, gold and ivory and militarised poaching;

23. Welcomes the establishment of the Békou Trust Fund by the European Union and the contributions by France, Germany, the Netherlands, Italy and Switzerland, and calls on other EU Member States and other donors to contribute to it;
24. Recalls that the participation and representation of women and civil society in the transition process are vital to its success;
25. Supports the efforts by religious leaders to prevent a sectarian conflict and preserve the traditional peaceful coexistence;
26. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the High Representative of the Union/Vice-President of the Commission, the Transitional Authorities of the CAR, the institutions of the African Union, the Economic Community of Central African States and the Secretary-General of the United Nations.

# ACP-EU JOINT PARLIAMENTARY ASSEMBLY

ACP-EU 101.877/15/fin

## RESOLUTION<sup>1</sup>

**on the natural disaster in Vanuatu (and neighbouring states): the way forward, including regional cooperation**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Suva (Fiji) from 15 to 17 June 2015,
- having regard to the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000 and revised on 25 June 2005 and on 22 June 2010 (hereinafter ‘the Cotonou Agreement’), and in particular Article 32 thereof,
- having regard to Articles 208 and 214 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism,
- having regard to the European Consensus on Development of 20 December 2005,
- having regard to the European Consensus on Humanitarian Aid of 18 December 2007,
- having regard to the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol thereto,
- having regard to the UN Millennium Declaration of 8 September 2000, which sets out the Millennium Development Goals (MDGs) as criteria jointly established by the international community for the elimination of poverty,
- having regard to the ‘Hyogo Framework for Action 2005-2015: Building the Resilience of Nations and Communities to Disasters’ adopted by the World Conference on Disaster Reduction held in January 2005 in Kobo, Hyogo (Japan),
- having regard to the Sendai Framework for Disaster Risk Reduction 2015-2030 adopted by the UN World Conference on Disaster Risk Reduction held on 14-18 March 2015 in Sendai (Japan),

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<sup>1</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 17 June 2015 in Suva (Fiji).

- having regard to the Niue Declaration on Climate Change adopted by the Pacific Islands Forum Summit held on 19 August 2008 in Aloft, Niue; to the Declaration by the Pacific Islands Forum States and the European Union on Climate Change of 7 November 2008, and to the Framework for Pacific Regionalism adopted by the Pacific Islands Forum Leaders in Palau in May 2014,
- having regard to the UN General Assembly resolutions on the International Strategy for Disaster Reduction, and to its resolution on the SIDS Accelerated Modalities of Action (SAMOA) Pathway of 14 November 2014,
- having regard to the Communication from the Commission of 29 May 2006 - EU relations with the Pacific Islands - A strategy for a strengthened partnership (COM(2006)248) - and the Joint Communication of the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy entitled 'Towards a renewed EU-Pacific development Partnership' (JOIN(2012)006),
- having regard to the Communication from the Commission to the Council and the European Parliament of 18 September 2007 – Building a global climate change alliance between the European Union and poor developing countries most vulnerable to climate change (COM(2007)540),
- having regard to the work of the ACP-EU Natural Disaster Risk Reduction Programme,
- having regard to the Post-Disaster Needs Assessment, conducted under the direction of the Government of Vanuatu in April 2015, and to the Emergency Response Plan for Vanuatu prepared by the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) in collaboration with humanitarian partners,
- having regard to the statement of the Vice-President of the European Commission / High Representative of the Union for Foreign Affairs and Security Policy of 14 March 2015 on the situation in Vanuatu,
- having regard to the European Parliament's resolutions of 21 October 2008 on building a Global Climate Change Alliance between the European Union and poor developing countries most vulnerable to climate change<sup>1</sup>, of 4 February 2009 on '2050: The future begins today – Recommendations for the EU's future integrated policy on climate change'<sup>2</sup>, of 15 March 2012 on a roadmap for moving to a competitive low carbon economy in 2050<sup>3</sup>, of 11 December 2013 on the EU approach to resilience and disaster risk reduction in developing countries: learning from food security crises<sup>4</sup>, of 5 February 2014 on a 2030 framework for climate and energy policies<sup>5</sup> and of 26 November 2014 on the 2014 UN Climate Change Conference<sup>6</sup>,

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<sup>1</sup> OJ C 15 E, 21.1.2010, p. 1.

<sup>2</sup> OJ C 67 E, 18.3.2010, p. 44.

<sup>3</sup> Texts adopted, P7\_TA(2012)0086.

<sup>4</sup> P7\_TA -PROV(2013)0578.

<sup>5</sup> Texts adopted, P7\_TA(2014)0094.

<sup>6</sup> Texts adopted, P8\_TA(2014)0063.

- having regard to its resolution on climate change and small island developing states in the context of the ACP-EU cooperation framework, of 1 April 1999, to its resolution on causes and consequences of natural disasters of 19 November 2005, to its resolution on natural disasters in ACP States: EU funding for preparedness (EDF funds) and relief (ECHO funds), of 22 November 2007, and to its resolution on the social and environmental consequences of climate change in the ACP countries of 9 April 2009,
- having regard to Article 18(2) of its Rules of Procedure,
- A. whereas on 13 and 14 March 2015 Cyclone Pam hit Vanuatu, becoming the most severe tropical cyclone ever to strike this country;
- B. whereas the cyclone caused numerous fatalities and affected almost three quarters of the population of this country because of destruction or damage to property and infrastructure, including electricity and communication networks, and disruption of basic social services such as health and education;
- C. whereas the cyclone has also caused severe damage to crops, livestock and fisheries infrastructure which, according to the Food and Agriculture Organisation of the United Nations, is threatening the status of food security in Vanuatu; whereas thousands of people have been left with no access to safe drinking water in a country that suffers from acute water shortages;
- D. whereas Cyclone Pam also devastated socio-economic infrastructures in the island states of Tuvalu, Solomon Islands and Kiribati, with its corresponding negative impact on the health and livelihood of the populations of these countries;
- E. whereas the geography of Vanuatu, which includes more than 80 small islands, makes relief operations and assessment of the damage challenging;
- F. whereas in natural disasters, vulnerable groups such as women, children and persons with disabilities are most likely to be affected;
- G. whereas the international community has a moral obligation to provide humanitarian and financial assistance to cyclone Pam-affected countries, including logistical and operational support;
- H. whereas as of 30 April 2015 the financial tracking service of the UNOCHA had recorded USD 33.4 million in financial contributions, meeting its targets, including funds from the EU and its Member States, other development partners and international financial institutions as well as from private donations;
- I. whereas for the period 2014-2020 the EU has allocated approximately EUR 31 million to Vanuatu under the 11th European Development Fund, with a focus on rural development in the National Indicative Programme;

- J. whereas natural disasters such as Cyclone Pam demonstrate the fragility and extreme vulnerability of the economies of small island developing states (SIDS) and highlight the fact that greater attention must be paid to their needs in terms of resilience-building;
- K. whereas developing countries, in particular SIDS, have contributed least to climate change but are facing its most severe social and environmental consequences;
- L. whereas millions of people worldwide are forced by natural disasters, including climate disasters, to migrate, leading to escalating humanitarian crises, rapid urbanisation and associated slum growth, and stalled development within the ACP countries; whereas there is no official asylum status for those migrants;
- M. whereas rising sea levels and temperatures and increasingly extreme weather events due to climate change will have a heavy impact on the Pacific region's coastal and marine ecosystems, biodiversity, water and soil resources, food supplies and the livelihood of people, thereby negatively affecting GDP growth in the Pacific countries;
- N. whereas issues of mitigation and adaptation to climate change were included in the 2014 United Nations Climate Change Conference (COP20); whereas the COP20 conclusions are expected to serve as the framework for the United Nations Climate Change Conference (COP21) in December 2015 in Paris;
- O. whereas climate change and environmental degradation constitute impediments to fulfilling the Rio+ Sustainable Development Goals (SDGs);
1. Expresses its deepest condolences to the countries hit by Cyclone Pam and to the families of those who lost their lives, and its solidarity with those who were injured or made homeless as a result of the devastation caused; expresses its sincere appreciation to all humanitarian workers for their response efforts in the aftermath of the cyclone;
  2. Congratulates the Government and people of Vanuatu for their tremendous efforts in overcoming the devastating impact of the cyclone; welcomes the conclusion of the post-disaster needs assessment, which makes it possible to continue the coordinated and timely recovery programme; salutes the assistance provided so far by international donors, including the emergency contributions of the European Union, the ACP Group of States, the United Nations and other international organisations, as well as other developed countries and international financial institutions;
  3. Urges the international community to continue, and to enhance, the mobilisation of resources needed for the reconstruction of infrastructures damaged by Cyclone Pam in Vanuatu, Tuvalu, the Solomon Islands and Kiribati, and to do so in a coordinated and effective fashion;
  4. Recalls that emergency aid for the reconstruction of Vanuatu should focus on urgent, critical areas such as access to drinking water, sanitation infrastructure, food security, schooling, housing, and communication systems and infrastructure;
  5. Stresses that it is now crucial for the international donors to effectively coordinate humanitarian efforts as focus shifts to long-term rehabilitation and development,

economic growth, agricultural development, especially in rural areas, and assisting in restoring the tourism sector;

6. Stresses that linking relief, rehabilitation and development should be a main element of the EU National Indicative Programme in the country, with a particular focus on resilience, so as to help overcome the operational and funding gaps between the relief and development phases; calls on the Commission to ensure that its assistance is aligned with Pacific regional and national priorities and supports existing regional and national delivery mechanisms;
7. Calls at the same time on the Government of Vanuatu, and on the Small Island States' governments, to review their national development plans, poverty reduction strategies and sectoral policies and strategies in order to incorporate measures in areas such as climate adaptation and building planning, which can contribute to preventing and minimising the consequences of natural disasters;
8. Stresses the need to develop coordinated regional approaches and exchange of good practices, while embracing local and traditional knowledge, as an essential tool for managing disaster risks, ensuring rapid and effective disaster response and combatting climate change, inter alia in the context of the Pacific Islands Framework for Action on Climate Change;
9. Calls on the international community to identify and address the legal shortfalls that exist in the protection of environmental migrants; suggests that asylum regulations or agreements on a regional or international level be considered in view of the extremely vulnerable situation of the island States that risk becoming submerged; points out also that instruments designed to protect the identity, culture and traditions of environmental migrants should be developed and put in place; takes note of the Nansen Initiative, which aims to build consensus on a protection agenda for displaced people in the context of natural disasters and climate change, and invites the EU to participate in this process;
10. Supports the conclusions of the Sendai Framework for Disaster Risk Reduction 2015-2030 as a crucial step in addressing the increasing impact of disasters and their complexity; stresses the need for implementing the objectives adopted at the Sendai Conference, in particular the need for public financing and investment in infrastructure for preventing natural risks, but also in the areas of transport, health, access to drinking water and education, in order to prevent a new humanitarian catastrophe in the region;
11. Calls for local growers to have access to farming equipment, non-GM seeds and plant varieties suited to the climate and food production conditions in Vanuatu so that the country can resume agricultural production as quickly as possible and ensure its food security;
12. Recalls that climate change is not a standalone environmental issue, but a development agenda to which both the EU and the Pacific States should give high priority; stresses that while developing countries, in particular SIDS, have contributed least to climate change, they are facing its most severe social and environmental consequences; highlights the fact that climate change represents a serious threat to poverty alleviation in the Pacific, with adverse effects for agriculture, fisheries and coral reefs, tourism and health;

13. Calls in this context on the ACP countries and the EU Member States to ensure that the post-2015 development agenda addresses the needs of ACP SIDS, in particular as regards the impact of climate change and the building of resilience to natural disasters;
14. Stresses the need for urgent action by the world's major greenhouse-gas-emitting countries to set targets and make commitments to significantly reducing their emissions, and to support the most vulnerable countries in adapting to and addressing the impacts of climate change;
15. Stresses that COP 21 represents a unique opportunity to tackle climate change and to link up with the UN's work on the post-2015 development agenda; calls therefore on the ACP Group of States, the EU Member States and the Commission to focus strongly on climate change and disaster preparedness/reduction at COP21 in Paris;
16. Encourages development partners and the private sector to increase technical and financial support (including by means of innovative financing mechanisms) for Pacific Island countries' efforts to move towards alternative and renewable energy sources, energy efficiency, sustainable transport, eco-system preservation, and development and transfer of technologies for climate change mitigation and adaptation, especially in agriculture and water management;
17. Urges the ACP countries, and in particular the ACP SIDS, to set up mechanisms to engage the public and private sectors as well as NGOs in disaster preparedness and mitigation, emergency relief and response intervention, and post-disaster reconstruction;
18. Instructs its Co-Presidents to forward this resolution to the UN Secretary-General, the ACP-EU Council of Ministers, the European Commission, the Presidency of the Council of the European Union, the national governments and national parliaments of the EU Member States and the ACP States, the President of Vanuatu and the Speaker of the Parliament of Vanuatu, the Director-General of the Secretariat of the Pacific Community and the Director-General of the Secretariat of the Pacific Regional Environment Programme.

**Appendix 8 – Statements by the Kenya delegation**

# REPUBLIC OF KENYA



## PARLIAMENT

### ACP-EU JOINT PARLIAMENTARY ASSEMBLY

### STATEMENT ON STATUS OF KENYA'S SECURITY SITUATION AND ONGOING INTERVENTIONS

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**Honourable President,**

The recent escalation of terrorist attacks in Kenya is the direct result of the Al-Shaabab insurgency in neighboring Somalia. From 2011 onwards, there have been a series of cross-border attacks where Kenyan and foreign citizens were kidnapped and taken into Somalia. In other cases, Al-Shabaab militants have crossed the border into Kenya's border towns in Mandera, Garissa and Lamu Counties and caused havoc. The most recent attack took place yesterday where the Al-Shaabab militants crossed the border and attacked a Kenya Defence Forces Camp at Baure in Lamu. During the attack two Kenya Defence Forces Officers were killed and eleven Al-Shaabab militants among them two whites and nine Somalis.

Even more worrying, not only for Kenya but the entire international community, is the emergent serious security challenge of radicalization and violent extremism among the youth. It is a key mechanism used by terrorists to recruit the young people to coordinate and mount attacks in Kenya, and the same appears to be true for other countries.

However, it is critical to note that the resultant travel advisories being issued by some countries, are instead impacting negatively on the tourism sector and other developmental initiatives central to our Government's endeavors in the fight against the menace.

Moving forward, there is need to double efforts to combat poverty and social exclusion, which are breeding grounds for radicalism and extremism. We must remain steadfast and resolute in our efforts to counter terrorism and more so, defend social values and the ideals of freedom, that, every person has the freedom to choose. This defines our solidarity in condemning such callous attacks against the human race and the call for respect of human rights and dignity regardless of religion, race, ethnicity and colour, among others.

We wish to sincerely commend the concerted efforts, solidarity, commitment and support by the international community towards finding a global and integrated solution to the threat of terrorism.

Kenya also appreciates the solidarity from this Assembly and further from the European Parliament for its unequivocal condemnation of terrorism and also the recent passing of a motion pledging to support the African peacekeeping and conflict management initiatives.

**I thank you, Mr. President.**

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**Kenya Delegation**

**16<sup>th</sup> June 2015**

**Suva, Fiji**

**REPUBLIC OF KENYA**



**PARLIAMENT**

**ACP-EU JOINT PARLIAMENTARY ASSEMBLY**

**STATEMENT ON BURUNDI**

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**Honourable President,**

Kenya sympathizes with the situation in Burundi and recognizes that the Country has a Constitution that guides its affairs, including matters of elections. On the issue of the candidacy of H.E Pierre Nkurunziza, Kenya wishes to state that Burundi is a sovereign state, and it has adjudicated and pronounced itself on this important matter.

The East African Community, of which Kenya is a member, during the Extraordinary Summit on Burundi held in Dar es Salaam on 13<sup>th</sup> and the Summit held on 31<sup>st</sup> of May, 2015, pronounced itself on the matter of the election, and resolved that the date be pushed forward by one and half months to allow for a conducive atmosphere for holding the elections.

Kenya wishes to state that in line with Article 4 (2) of the EAC Protocol on Peace and Security, as well as Kenya's long standing foreign policy, we uphold the spirit of peaceful settlement of disputes, and call upon all the political players to resolve their disputes through dialogue.

We call for the respect of the rule of law and the Arusha Peace and Reconciliation Agreement. We also condemn the violent acts and call upon all the parties to make sure that violence and displacement of citizens is stopped.

**I thank you, Mr. President.**

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**Kenya Delegation**

**16<sup>th</sup> June 2015**

**Suva, Fiji**

## **ACP-EU JOINT PARLIAMENTARY ASSEMBLY**

### **CONTRIBUTION ON FINANCING OF INVESTMENT AND TRADE, INCLUDING INFRASTRUCTURE, IN ACP COUNTRIES BY THE EU BLENDING MECHANISM**

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#### **Honourable Chair,**

Kenya appreciates the use of blending mechanisms to finance investments, trade and infrastructure development. The blending mechanism allows for increase in volume of development finance in a context of constrained resources. The mechanism further allows for making transfers to heavily indebted countries without exacerbating debt overhang problems. We must however take cognizance of the fact that although in practice most of the EU blending facility grants go to projects in the form of technical assistance, the grant element tends to be low in most of the facilities with a few exceptions. The mechanism addresses positive externalities to bring the financial rate of return closer to the economic rate of return for projects with a high socio-economic and/or positive environmental impact. This mechanism allows for improving the quality of funded projects because in practice the grant component also allows funding of projects which recipients are unable to finance, in addition to improving the quality of projects as compared to a no grant situation.

Blending mechanisms have also raised some questions and concerns, as to their effectiveness, development impact, and potential distortive effects. There is therefore need to guard against the risk of financial incentives outweighing development principles, by for example, prioritizing return-on-investment and overriding development priorities underlying development funds through grant aid. There is need to ensure that the risk of crowding private financiers and distorting markets is avoided, while at the same time ensuring that the

blending mechanisms do not lead to higher debt exposure for the developing countries.

Kenya therefore reiterates the need to assess the challenges and opportunities facing any projects under the blending mechanism before proceeding to implement them.

Kenya is a beneficiary of the EU-Africa Infrastructure Trust Fund blending facility. Through this facility, the Lake Turkana Wind Power Project is being undertaken in the country, and the Lake Victoria Transport Project in three East African Countries is also being processed.

The Lake Turkana Wind Power Project received the first disbursement of funds in December 2014. The project is worth Kenya Shillings 70 billion (€623 million), and is the largest single wind power project to be constructed in Africa to date.

The Kenyan Government recognizes that lack of adequate energy is a significant obstacle to its economic aspirations. For this reason, Kenya's 'Vision 2030', the Government blue print for development, has a strategy in place for modernizing the national energy infrastructure network, increasing the share of energy generated from renewable energy sources, and providing energy that is affordable and reliable to businesses and homes. The plan aims at increasing installed capacity for electricity generation by 5,538 MW in 2017.

Therefore, this project is a key deliverable under the Government's commitment to scaling up electricity generation and is a flagship project within the Vision 2030 program.

**Honourable Chair,**

Kenya appreciates that the Lake Turkana Wind Power project was awarded another African Renewables Deal of the Year 2014 at the IJGlobal Awards 2014 Europe & Africa in London on Thursday 19 February. The IJGlobal Europe & Africa Awards are a celebration of the best in class deals in energy and infrastructure over the past year. We hope that this project with its huge associated transmission infrastructure will be used to connect future projects to the grid and that the lives of Kenyans will be transformed economically and socially. As stated by the Chairperson of the Lake Turkana Wind Power Project, we are truly delighted to receive this award. It is not only a great honor for Lake Turkana Wind Power Project but for Kenya as a whole.

I thank you Mr. Chairman.

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**Kenya Delegation**

**13<sup>th</sup> June, 2015.**

**REPUBLIC OF KENYA**



**PARLIAMENT**

**ACP-EU JOINT PARLIAMENTARY ASSEMBLY**

**CONTRIBUTION ON THE TOPIC: REGIONAL INTEGRATION IN THE  
PACIFIC**

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**Honourable Co-President,**

We have time and again heard of the manner in which the Pacific states have stepped in to assist their neighbours during times of disaster and devastation. It is very commendable, and shows the importance placed on working together as a unit to bring about progress in the region.

As we have said in the past, regional integration is an important initiative in ensuring the stability and success of development efforts in all our countries. It fosters harmonious interactions within countries, especially in terms of geographical proximity. The East African Community (EAC) region is currently in the process of integrating itself by opening up the borders within the region to ensure free movement of goods and people, harmonization of the currency, and an eventual political federation.

Last week, there was the signing of an agreement for formation of the Cairo to Cape Town Free Trade Zone, a common market covering half the continent of Africa. This highlights the importance of fostering trade relations with countries of close proximity. I therefore encourage our Pacific region colleagues to build on that spirit of partnership and cooperation that is evident in the region to improve intra-regional trade and reduce reliance on aid and relief thus improving self-reliance.

**Thank you, Mr. President**

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**Kenya Delegation**

**Suva, Fiji**

**17<sup>th</sup> June, 2015**

**STATEMENT ON EVALUATION OF AFRICA PEACE FACILITY AFTER TEN YEARS: EFFECTIVENESS AND PROSPECTS FOR THE FUTURE**

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Honourable Chairman,

As Kenya stated during the last meeting that was held in Brussels in March, 2015, we reiterate the need to rethink the model of the African Peace Facility so as to take into account issues that have emerged upon evaluation of the operations of the facility. Among them is the possibility of having operational and finance decisions taken at one location, capacity building of the officers under the Peace Facility specifically the AMISON officers and the issue of aligning the programmes of the Facility to the available resources.

I thank you Mr. Chairman.

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**Kenya Delegation**

**13<sup>th</sup> June, 2015.**

**REPUBLIC OF KENYA**



**PARLIAMENT**

**ACP-EU JOINT PARLIAMENTARY ASSEMBLY**

**CONTRIBUTION ON THE TOPIC: CULTURAL DIVERSITY AND HUMAN RIGHTS IN ACP COUNTRIES**

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**Honourable Co-President,**

The ACP group has had robust debate on this report, and I am happy to note that we have reached some consensus in regard to most of the issues raised. We recognize that there will be need for constant dialogue on this topic. We as ACP states continue to stress the need for our EU partners to address any contentious or divergent issues through dialogue, in a conciliatory instead of combative manner, so as to encourage a meeting of minds. It defeats the purpose of the vote we took on Saturday for the same to be brought again at this time, that is, the amendment by Ms. Kyenge which adds the words “sexual orientation” and “or any other status.” It needs to be understood that some cultures, that are considered to be against human rights will take a long time to change; sexual orientation is one such topic.

We have to agree that sometimes we will disagree on issues; this is where compromise and conciliation come in. Let us continue to foster understanding and respect for each other’s cultures, traditions, and beliefs, while working towards our overall goal of cooperation in the ACP and EU partnership.

**I thank you, Mr. President**

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**Kenya Delegation**

**Suva, Fiji**

**16<sup>th</sup> June, 2015**