

THE DEVELOPMENT COMMITTEES

*Reports and resolutions of the various committees
responsible for development cooperation from 1958 to 1999*



ARCHIVE AND DOCUMENTATION CENTRE (CARDOK)
DIRECTORATE-GENERAL FOR THE PRESIDENCY
EUROPEAN PARLIAMENT

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**DIRECTORATE-GENERAL FOR THE PRESIDENCY
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Burmese women working in a field in Kalaw, Myanmar

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PREFACE

The EU's development cooperation policy came into being in 1957, when the Treaty of Rome was signed, and has advanced in step both with the European Community itself and with the countries of Africa. The first form of cooperation, 'association', which sought to preserve the ties among the former colonies which had become independent, was succeeded by development cooperation between the ACP (African, Caribbean and Pacific) countries and the European Community under the Lomé Convention and later the Cotonou Agreement.

The nature of the Lomé Convention, signed in 1975, was strongly influenced by the international context, which at the time was dominated by developing countries' demands for a new world economic order. The key concepts underlying this cooperation were sovereignty, equality, interdependence and endogenous development.

A radical change in the field of cooperation was marked by the Cotonou Agreement, signed in 2000 for a period of 20 years. Liberalisation of trade as the framework for development and as an instrument in the fight against poverty has now become the guiding principle of cooperation.

The European Parliament committees called upon to oversee cooperation have always been a driving force in development policy and a guardian of that policy. They have kept a close watch on both the political and economic situations of developing countries; with their awareness of the difficulties involved in developing countries' integration into an unbalanced trading system, the committees have made it possible for the European Parliament to become a key partner for those countries. Parliament has also played a major role in the pursuit and intensification of the European Community's development policy. Reminding the Community of its most ambitious commitments – when necessary – Parliament has also been able to influence the positions adopted by the Community in major international institutions.

As this work shows, respect for fundamental values – particularly human rights – has gradually assumed an important place in the successive conventions and agreements governing the Community's development cooperation: those of Yaoundé, Lomé and Cotonou. Whereas the earliest Conventions were dominated by the principle of political neutrality, it was only after the fall of the Berlin Wall in 1989 and the subsequent worldwide geopolitical upheavals that a clause on respect for human rights was inserted.

Development cooperation has now reached a turning point. Political decision-makers and elected office-holders at both national and European level bear a heavy responsibility to tackle the challenges facing developing countries. The fight against poverty calls for a coherent policy on the part of the EU, which must go to the root of the structural causes of the impoverishment of developing countries: export subsidies which distort local markets must be abolished, debts must be cancelled, the free trade system which is in force must be replaced with equitable rules; tax havens and illicit financial movements involving developing countries must be combated, investors must be prevented from seizing ownership of farmland in developing countries, particularly in Africa.

This *CARDOC Journal*, setting out the positions adopted by Parliament, as shaped by the committees which, under different names, addressed themselves to development policy from 1958 until 1999, recounts fifty years of one of Parliament's main policies.

Eva Joly

Chair of the Committee on Development



FOREWORD

This *CARDOC* paper does not deal with development cooperation itself, but rather with the papers presented by the committees that, under a variety of official names, were responsible for development from 1958 to 1999. Consequently, this paper does not examine all of the documents adopted by the European Parliament on the subject in question, in particular resolutions on urgent and topical matters, but only those presented by the committees covered by the paper.

An introductory chapter offers an overview of these committees through the various parliamentary terms: their titles, areas of competence and chairs, together with a summary of their activities. The remainder of this work is divided into three parts:

- Part I deals with associated cooperation, in other words matters concerning the Associated States or the overseas countries and territories provided for under the Treaty of Rome and then later under the Yaoundé and Lomé Conventions. This is a separate thread of cooperation that needs to be dealt with separately.

- Part II deals with cooperation with countries linked to the Union through other types of bilateral or multilateral relations.

- Part III deals with global cooperation, in other words cooperation involving any developing country regardless of existing diplomatic agreements. This includes cooperation with other international organisations, in addition to food and humanitarian aid.

The text is laid out in both chronological and thematic order so as to provide a consistent and reasoned account of the activity of the committees. To have opted merely for a chronological approach would have been to ignore the logical coherence of the positions taken, whereas a merely thematic approach would have lost sight of the historical perspective. For example, from a thematic point of view, global cooperation should be considered *prior* to cooperation under particular conventions, whereas in fact it emerged only in the 1980s, later than, and shaped by, multilateral cooperation.

The resolutions debated and adopted by the European Parliament are published in the Official Journal and are available in most good libraries. Reports, minutes and other committee papers are stored in the European Parliament archives managed by *CARDOC*.

The collections of committee meeting minutes are incomplete; in any case, from the time of the first Parliament elected by direct universal suffrage, minute-taking became increasingly concise, rendering the minutes themselves of little use as historical documents.

The list of reports is to be found in the annex.

LIST OF LESS COMMON ABBREVIATIONS

AASM:	Associated African States and Madagascar
ACP:	African, Caribbean and Pacific States
ARE:	Arab Republic of Egypt
ASEAN:	Association of South-East Asian Nations
EDF:	European Development Fund
EIB:	European Investment Bank
FLS:	Front Line States (countries bordering South Africa)
GATT:	General Agreement on Tariffs and Trade (replaced by the WTO)
OAMCE:	African and Mauritian Common Organisation
OCTs:	Overseas Countries and Territories
SA:	South Africa
SADC:	Southern African Development Community
SADCC:	Southern African Development Coordination Conference (later SADC)
UAR:	United Arab Republic
UNCTAD:	United Nations Conference on Trade and Development
WTO:	World Trade Organisation

PARLIAMENT'S DEVELOPMENT COMMITTEES

1. Parliament's committees on development cooperation (1958-1979)

On 20 March 1958, immediately after the inaugural sitting of the European Parliamentary Assembly, the 13 parliamentary committees were established, among them the Committee on *Association with Overseas Countries and Territories*, to which 29 members were allocated. Of these, at least in principle, there would be seven from each of the three larger Member States (Germany, France and Italy), three each from Belgium and the Netherlands and two from Luxembourg. On 7 March 1961 its name was changed to *Committee for Cooperation with Developing Countries*¹ so as to adapt it to the changed constitutional and political situation of the African states, which were now independent, and to the prospect of the Community forming relations with developing countries other than those with which it was associated; there was also a wish to underline, through the word 'cooperation', the joint nature of relations established with the developing partners².

On 2 February 1967 the name was once again changed, to *Committee on Relations with the African Countries and Madagascar*³ and the number of members was reduced to 18. There are no indications as to the reasons for the change of name; to go by the new name alone, the committee ought to have lost its jurisdiction regarding the non-African OCTs, but in 1970 it sent a study delegation to Suriname and to the Netherlands Antilles.

On 12 March 1973 the committee took the name *Committee on Development and Cooperation*⁴; in this case, too, there are no indications as to the reasons for the change of name, nor does it seem that the change of name had any effect on its areas of responsibility. The committee had 35 members allocated to it, making it, together with the *Committee on External Economic Relations*, the largest of the 12 committees established at that time. The larger number of members in these two committees (the others had 29 members) was probably due to the fact that they included the European Parliament's delegations within the parliamentary bodies of third country associations which, in the case of the committee in question, was the *delegation to the parliamentary committee of the association with the East African Community*, made up of 12 members⁵.

2. The Chairs of Parliament's Development Committee (1958-1979)⁶

From 1958 Walter Scheel, the German liberal, was Chair of the committee. He held this office until 20 November 1961, when he resigned from the Parliamentary Assembly following his appointment as Minister for Economic Cooperation in the German Government.

¹ EPA resolution of 7 March 1961 on the names of the committees of the European Parliamentary Assembly, OJ, 6.4.1961, p. 544.

² EPA - Committee on Legal Affairs of the rules of procedure and Immunities - Report on the names of the committees of the European Parliamentary Assembly, Doc. 2/61. Rap: Blaisse.

³ European Parliament resolution of 2 February 1967 on the number and composition of the European Parliament's committees, OJ 28, 17.2.1967, p. 449.

⁴ European Parliament resolution of 12 March 1973 on the number and composition of the European Parliament's committees, OJ C 19, 12.4.1973, p. 14.

⁵ The delegations were established in point II of the resolution of 12 March 1973.

⁶ The committees are dealt with here as if there were just one, without taking into account the different names or the change in the number of members.

After a period during which the post was vacant, and the Chair's duties were carried out by Vice-Chair Carcassonne, Robert Margulies was elected Chair on 28 March 1962. He was also a German liberal, and held the post until his resignation as a parliamentary representative, on 21 August 1964, following his appointment as a member of the Euratom Commission.

After a second period during which Vice-Chair Carcassonne carried out the Chair's duties, on 22 March 1965 Gaston Thon, the Luxembourg liberal, was elected Chair. He held the office until 11 February 1969, when, following his appointment as Luxembourg's Minister for Foreign Affairs, he ended his term of office as a Member of the European Parliament.

After a brief period during which the two Vice-Chairs, Francis Vals and Giovanni Bersani, held the Chair alternately, on 13 March 1969 Ernst Achenbach, the German liberal, was elected Chair, and re-elected in subsequent years. The last sitting in which he participated was that of 12 September 1974; subsequently he was absent, having presented his apologies, until at the sitting of 21 November 1974 the vice-Chair of the committee read out a letter from the President of the European Parliament announcing Mr Achenbach's intention not to participate further in the committee's meetings.

On the same day, Colette Flesch, the Luxembourg liberal, took over as Chair, holding that office until the direct elections to the European Parliament held in 1979.

3. The work of Parliament's Development Committee (1958-1979)

In total, the committee met at least 128 times⁷ between 21 March 1958 and 6 March 1967, and produced 57 reports. Until 1960, in a period during which the committee's sphere of responsibility did not include independent states, but territories associated in various ways with a Member State on the basis of a dependent relationship with varying degrees of autonomy, its activities focused primarily on examining general issues and on carrying out two study missions in some of the associated territories.

The subsequent period, from 1961 to 1967, saw the start of the decolonisation process, which was quite swift and hurried in Africa, and the review of association relations with states that were now independent. The work of the committee followed these developments and, in particular, the work of the Association's Parliamentary Conference was monitored, initiating a close relationship between Parliament's Development Committee and the parliamentary body of the Association. This relationship was to be a lengthy one and, in terms of the documents tabled in plenary, can be seen in reports which illustrate the work of the Conference and in motions for resolutions which usually supported the positions adopted by the Association's parliamentary body. In the period between 1967 and 1973 there were 84 meetings for which records are available, but the sequence is interrupted on 5 December 1972. There were 45 reports, which enlarged the scope of the committee's interests from the work of the Association, which continued to be monitored, to specific proposals by the Commission, mainly implementing agreements.

⁷ This is the exact number of meetings for which records are available. There is an interruption in the sequence between 5 May 1960 and 8 March 1961.

In the period from 1973 to the direct elections to the European Parliament, interest in the Convention seemed to lessen: after 1975 the European Parliament's delegations, mainly from the Development Committee, continued to take part in the meetings of the Convention's parliamentary bodies, but no longer reported to the plenary. This does not mean that the Convention was no longer a focus for the committee's work, but rather that now it was chiefly concerned with the reports and motions for resolutions on the initiatives of the Commission, which had increased considerably in number as compared with the previous period.

4. Parliament's Committee on Development and Cooperation (1979-1984)

After the direct elections to the European Parliament, the *Committee on Development and Cooperation* was established, with 27 members⁸. At the start of the parliamentary term Colette Flesch was confirmed in the post of chair⁹, but it very quickly became apparent that the office was incompatible with that of Quaestor of the European Parliament, also held by her. As a result, she resigned as Chair of the committee, and on 30 October 1979 Michel Poniatowski, a French liberal, was elected Chair. He was to hold the office throughout the first parliamentary term (1979-1984).

The new committee met 97 times between 11 September 1979 and 23 May 1984 and submitted 67 reports to the assembly. The committee's work had the same characteristics as in the previous period, since the Community's activities in the sphere of cooperation had found their own rhythm. Starting from 1980, the tradition of reporting to the plenary on the work of the Convention's parliamentary bodies also resumed, and the number of the committee's own-initiative documents increased. Perhaps partly as a result of the direct elections, these showed an increased interest in political subjects associated with development cooperation, such as issues relating to women, human rights and the environment. The work of the UNCTAD conferences on development was also monitored; world hunger and humanitarian aid unfortunately began to appear on the agenda.

5. Parliament's Committee on Development and Cooperation (1984-1989)

In the second parliamentary term (1984-1989) the number of members of the committee was increased to 42¹⁰. At the first meeting of the parliamentary term Katharina Focke, a German socialist, was elected as Chair. She remained in post until 18 February 1987, when Michael McGowan, a British socialist, took over the role. He remained in post until the end of the parliamentary term.

During this parliamentary term the committee met 73 times, from 27 July 1984 to 21 April 1989, and submitted 84 reports to the assembly. While the main features of this parliamentary term echoed those of the preceding one, it should be noted that from 1987 onwards the major development themes highlighted by the UNCTAD conferences were

⁸ *European Parliament resolution of 20 July 1979 on the number and composition of parliamentary committees*, OJ C 203, 13.8.1979, p. 35.

⁹ *European Parliament - Development Committee - Minutes of 11 September 1979*.

¹⁰ *European Parliament resolution of 25 July 1984 on the number and composition of parliamentary committees*, OJ C 239, 10.9.1984, p. 21.

discussed. However, these were in decline and the committee then took on a degree of autonomy and developed a marked interest in the imbalances between the global North and South and, in particular, the thorny issue of developing countries' debt. In 1986, during this parliamentary term, a conflict between the European Parliament and the Council which had begun four years earlier was resolved. It had concerned the classification of expenditure on food aid, which was an important issue in terms of parliamentary scrutiny of expenditure.

6. Parliament's Committee on Development and Cooperation (1989-1994)

In the third parliamentary term the number of members rose to 43 on the basis of a resolution¹¹, which for the first time specifically formulated the committees' spheres of responsibility. The responsibilities of the committee in question were defined as follows:

This committee is responsible for examining and monitoring the policy of the Community on development with particular reference to:

1. *the North-South dialogue;*
2. *emergency aid and food aid;*
3. *technical, financial and educational cooperation;*
4. *the generalised system of preferences;*
5. *industrial, agricultural and rural development.*

This committee is also responsible for matters pertaining to:

1. *the implementation of the ACP-EC Convention;*
2. *the implementation of cooperation agreements with the Maghreb and Mashreq countries;*
3. *relations with certain developing countries or groups of developing countries with which the Community has concluded cooperation or association agreements;*
4. *financial and technical cooperation with the developing countries;*
5. *relations with international organisations which specialise in development and cooperation.*

In the first meeting of the parliamentary term, Henri Saby, a French socialist, was elected Chair. He remained in office for the duration of the parliamentary term.

During the third parliamentary term the committee met 70 times, from 27 July 1989 to 27 April 1994, and submitted 74 reports to the Assembly. The parliamentary term opened with the fall of the Berlin wall and during its course the Soviet Union ceased to exist,

¹¹ European Parliament resolution of 26 July 1989 on the number and composition of parliamentary committees and interparliamentary delegations, OJ C 233, 11.9.1989, p. 25.

opening up new prospects for relations between West and East Europe and competition between the former COMECON countries and the countries of the Third World in terms of the distribution of the resources of the West, and above all the resources of the European Union, allocated to third countries. The opening up of Western markets to products from Eastern Europe also had an effect on exports from developing countries. These issues were at the heart of the debates held by the Committee on Development in 1992.

7. Parliament's Committee on Development and Cooperation (1994-1999)

During this parliamentary term the number of members fell to 36 on the basis of a resolution¹² which left the spheres of responsibility that had been established in 1989 unchanged, except for a purely formal amendment.

Bernard Kouchner, the French socialist, was Chair of the committee from the start of the parliamentary term until 5 June 1997, when he resigned from Parliament, having become Secretary of State in the Jospin Government; he was succeeded by Michel Rocard, also a French socialist, who held the office until the end of the parliamentary term.

For the fourth parliamentary term, Parliament's archives contain the minutes, reports or agendas of 47 sittings; during the parliamentary term the committee submitted 74 reports. Following the major debates of the preceding parliamentary term, the committee's work focused on specific development cooperation problems with the examination of crisis situations, such as that of Rwanda in 1994, which were not reflected in session documents.

¹² *European Parliament resolution of 21 July 1994 on the number, composition and spheres of responsibility of the parliamentary committees*, OJ C 261, 19.9.1994, p. 44.

**PHOTOS OF FORMER DEVELOPMENT
COMMITTEE CHAIRS**

THE DEVELOPMENT COMMITTEES

Reports and resolutions of the various committees responsible for development cooperation from 1958 to 1999



Walter Scheel



Ernst Achenbach



Colette Flesch



Katharina Focke



Henri Saby



Bernard Kouchner

PART I
COOPERATION IN ASSOCIATIVE FORM
*From the Association of OCTs to the ACP
Conventions*

CHAPTER I

THE ASSOCIATION OF OVERSEAS COUNTRIES AND TERRITORIES (1958-1963)

1. The overseas countries and territories (OCTs) in the EEC Treaty

The Treaty of Rome of 1957 established an association with the countries and territories outside Europe *which [had] special relations with Belgium, France, Italy and the Netherlands*¹³. This was the first experiment in multilateral development cooperation. The associated countries and territories were as follows¹⁴:

- *French West Africa*¹⁵: *Senegal, French Sudan*¹⁶, *French Guinea, Ivory Coast, Dahomey, Mauritania, Niger and Upper Volta*¹⁷;
- *French Equatorial Africa*¹⁸: *Middle Congo*¹⁹, *Ubangi-Shari*²⁰, *Chad and Gabon*;
- *Saint Pierre and Miquelon, the Comoro Archipelago, Madagascar and dependencies, French Somaliland, New Caledonia and dependencies, French Settlements in Oceania, Southern and Antarctic Territories*;
- *The autonomous Republic of Togoland*;
- *The trust territory of the Cameroons under French administration*;
- *The Belgian Congo*²¹ *and Ruanda-Urundi*²²
- *The trust territory of Somaliland under Italian administration*²³
- *Netherlands New Guinea*.

*The purpose of association [was] to promote the economic and social development of the countries and territories and to establish close economic relations between them and the Community as a whole*²⁴.

¹³ Article 131 of the EEC Treaty (1957 text).

¹⁴ Annex IV to the EEC Treaty (1957 text).

¹⁵ French West Africa was a federation of French colonial possessions, with representation in the French Parliament; in 1958 the various possessions obtained autonomy within the framework of the French Community, with the exception of Guinea, which opted for independence, followed in 1960 by the other French possessions in the region.

¹⁶ This is now Mali.

¹⁷ This is now Burkina Faso.

¹⁸ French Equatorial Africa, which experienced historical events similar to those of French West Africa, was a federation of French colonial possessions, with representation in the French Parliament; in 1958 the various possessions obtained autonomy within the framework of the French Community and in 1959 they federated within the Union of Central African Republics, which dissolved the following year as the states that made it up became fully independent.

¹⁹ This is now the Republic of Congo (Congo-Brazzaville).

²⁰ This is now the Central African Republic.

²¹ This is now the Democratic Republic of Congo (Congo-Kinshasa).

²² Suzerainty of Belgium resulting from the Peace Treaty of Versailles, after the first world war (previously it had been a German colony): in 1961 Ruanda-Urundi split into the two current independent states of Rwanda and Burundi.

²³ It became independent on 1 July 1960 and combined with the British Protectorate of Somalia.

²⁴ Article 131(2) of the EEC Treaty (1957 text).

The association was set up against the background of the decolonisation process and met the needs of the 'colonial' Member States to coordinate their interests outside Europe and their membership of the European Economic Community, the jurisdiction of which, in contrast to that of the ECSC, extended to productive sectors with economic implications for the OCTs.

The association extended to all the Member States the benefits of privileged relations with huge markets outside Europe. In fact, it stipulated that the Member States should apply the common market system in trading with the OCTs, while the latter would gradually apply to all the Member States the trade system applicable to the Member State with which they had privileged relations. Moreover, the right of establishment under the conditions laid down in the Treaty was guaranteed, on a non-discriminatory basis, to the citizens and undertakings of the Member States and of the OCTs. Equal treatment was also granted, as regards investments financed by the Community, in terms of participation in tenders and supplies, and the Member States contributed to investments for the economic and social development of the OCTs²⁵. A Convention annexed to the EEC Treaty²⁶ established a Development Fund for the OCTs²⁷ and laid down provisions on trade and the right of establishment.

The Convention was valid for five years, and so it expired on 31 December 1962. Before that date the Council of Ministers was to unanimously determine the provisions to be made for a further period, *proceeding from the results achieved and on the basis of the principles set out in the Treaty*²⁸.

2. Launch of the association policy (1958) and working method

The Committee on Association, which inaugurated cooperation policy within the Assembly, followed attentively the launch of the Community policy in the sector and dedicated to it all the resolutions of the three years of its activities. The problems of the Association were divided into political, legal, economic and social aspects, in a 1958 report²⁹ and in three separate series of reports, issued in 1959, 1960 and 1961. These were solely concerned with the African OCTs and came during the period when the Convention annexed to the Treaties of Rome was in force. They therefore represent evidence of the first approach, which was primarily a cognitive one, of the then Parliamentary Assembly to development cooperation issues.

²⁵ Article 132 of the EEC Treaty (1957 text).

²⁶ *Implementing convention on the association of the overseas countries and territories with the Community.*

²⁷ In the first five years of the Fund's activity, its budget was USD 581 million, contributed by the six Member States and shared between Belgium, France, Italy and the Netherlands for the benefit of the relevant OCTs. Declaration by EEC Commissioner Lemaigen in Committee of the Association... *Minutes of the meeting of 6 May 1958.*

²⁸ Article 136 of the EEC Treaty (1957 text).

²⁹ This was report 65/58, which was followed, on the basis of complementary report 10/59, by the resolution of 15 January 1959.

In its first resolution of 15 January 1959 the Assembly adopted positions on the sections of the General Report on the activities of the Commission that related to the Association³⁰, for the most part endorsing the position of the committee itself.

At the heart of the Assembly's concerns were not only the economic development of the OCTs *per se*, but also a wish to ensure that development should take account of the desires of the local people. This concern permeated the resolution as a whole and the implementation of the right of establishment was also made subject to it. The Assembly wished to be directly involved in development policy through its own committees and specifically called for the Committee on Association to have direct contact with local governments and trade union representations.

As for the three series of reports in the following years, in each of them one report was devoted to political and legal aspects, one to economic aspects, one to social aspects and a fourth presented a motion for a resolution on all the issues examined. The reports were drawn up with the help of a special temporary committee, named the *Delegation of the European Parliamentary Assembly mandated to carry out study and information tasks in the overseas countries and territories*³¹, made up of the Chair of the Committee on Association and 12 members appointed from among the members of the committee and those particularly interested in the problems of the OCTs.

3. Institutional and legal issues relating to the Association of OCTs (1959-1961)

The 1959 report on legal and political issues³² started with a concern to maintain the Association in the face of the decolonisation process, which was to change the nature of the international personalities of the OCTs³³, and with the campaigns against this being waged in the countries involved, sometimes with the support of external powers, the Soviet bloc and the Arab States.

A first starting-point for the analysis carried out in the report was the unilateral nature of the Association created by the Member States of the Community, legitimately so since some of them were responsible for the OCTs, internationally as well. The second starting-point was the observation that the world was travelling in the direction of *unity*³⁴ in order to resolve several economic and social problems; it followed, according to the report, that it was appropriate for the OCTs to join together in regional organisations³⁵, while maintaining

³⁰ EPA - Committee of the Association...- Report on the sections of the General Report on the activities of the European Economic Community relating to the association of overseas countries and territories (Chapter VII). Doc. 65/58. Rap: Carboni. The motion for a resolution was, on the other hand, contained in EP - Association Committee - Report on the problems relevant to the association of overseas countries and territories. Doc. 10/59. Rap: Carboni.

³¹ EPA resolution of 15 April 1959 on the establishment of a special temporary committee mandated to carry out study and information tasks in the overseas countries and territories, OJ, 8.5.1959, p. 554. For subsequent years, see the resolutions, with the same titles, of 31 March and 24 November 1960, OJ, 27.4.1960, p. 705 and 16.12.1960, p. 1507.

³² EPA - Association Committee... and Delegation... mandated with a study remit...- Report on the legal and political issues relating to the Association of the Community with the overseas countries and territories and on problems relating to information about the objectives and achievements of the European Communities, both in Europe and in Africa. Doc. 67/59. Rap: Duvieusart.

³³ The footnotes in the introductory chapter summarise the main facts from 1958-1960.

³⁴ Expression used in the report.

³⁵ The reference to regional cooperation made in the Carboni report necessitated an overview of the African organisations which, following the model of the European Communities, were created right from the beginning of decolonisation with the aim of obtaining adequate negotiating strength in international relations, not least in relations with the Community itself.

the preferential relations that they had with certain European states and, thanks to the Association, with the Community. According to the report, the attitude adopted by the OCTs that were approaching independence was primarily a nationalistic one.

It would be desirable for the Associated States to consider jointly, as well as with the representatives of the Community authorities, how the provisions of the Treaty relating to the removal of customs duties and the expansion of quotas operated with regard to them.

They would be particularly attentive and, therefore, particularly skilled at identifying, for example, whether the replacement of customs duties by internal taxes would be detrimental to them.

It would be useful for them to turn their attention to the common external tariff and they would be particularly well-qualified to refute the objections that some states may raise against the common market and in particular against the Association.

Debates on these problems would constitute a source of information for the African leaders of the Associated States.

Equally, it would be advisable for the Associated States to participate in the formulation of the rules governing the distribution of the resources of the Development Fund...³⁶.

Similarly to what was done with the OECD in order to implement the Marshall Plan, the report called for an organisation of the OCTs which would disseminate knowledge of the Association and monitor its results. According to the report, the legal basis for such an organisation could be Article 238 of the Treaty, which allows the Community to *conclude with a third State, a union of States or an international organisation agreements establishing an association involving reciprocal rights and obligations, common action and special procedures.*

The Assembly's resolution³⁷ recommended reinforcing the multilateral nature of the Association through closer collaboration with the OCTs and reviewing the implementation convention in the light of experience with the OCTs being involved in the review. A

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 The first organisation, in chronological order, was the Entente Council, founded on 29 May 1960 by Upper Volta, Côte d'Ivoire, Dahomey and Niger, which enabled them to adopt a joint position towards France. In December of the same year, 12 African states combined together in the OAMCE (African and Malagasy Organisation for Economic Cooperation) with the aim of coordinating their economic policies, including monetary policies and relations with international organisations. Less structured and with a clear vocation for independence from blocs was the Casablanca Group, which was founded in January 1961 by Ghana, Guinea, Libya, Mali, Morocco and the United Arab Republic (Egypt and Syria).

The OAMCE was probably the most important and it was this organisation that adopted a resolution on the relations of the 12 member countries with the EEC, laying down three fundamental principles:

- *Concerted negotiation with the EEC for the establishment of simpler and more effective procedures for the operation of the European Development Fund;*
- *Organisation of the markets laying down evolving support and protection in favour of large-scale tropical vegetable production;*
- *Right of the African States and Madagascar to take any tariff, quota or other measures in response to their industrial development needs.*

³⁶ Paragraph 38 of report 67/59, cited above.

³⁷ EPA resolution of 27 November 1959 on the problems posed by the overseas countries and territories, OJ, 19.12.1959, p. 1267. The resolution was the follow-up to a debate that had been held at the sessions of 24 and 26 November.

resolution dated 31 March 1960³⁸ followed up on the 27 November resolution by proposing a governmental conference to tackle the political and economic problems of the OCTs and cooperation with them; representatives of the overseas countries and territories were also supposed to participate in this Conference³⁹.

In 1960 the events of the previous year were repeated, and a European Parliament delegation visited the associated countries and territories and drafted three reports; the situation had now changed, however, because the decolonisation process was being concluded for many Associated States. The report on political and legal issues⁴⁰ recorded the changes and expressed some concerns regarding the future of the Association. It had not been possible for the Treaty of Rome to foresee the exact periods over which the developments would take place, and now the general provisions for the Association appeared not to be very flexible, while on the one hand the Member States *were evincing a certain reluctance to translate into reality the obligations that they had assumed in signing the Treaties*, in particular, those with 'special relations' did not favour the Association; on the other hand, the Associated States maintained discriminatory treatment in favour of their former 'metropolises'.

Starting from these criticisms, the report was also concerned with preserving the association with the countries that had become independent, pending the negotiations for the conclusion of the convention to replace the convention due to expire at the end of 1962; these negotiations were to be carried out with representatives from the Associated States too⁴¹. With this in view, the report suggested creating an Association Council made up of representatives of the Community and of the Associated States, joint management of the Development Fund and joint sessions involving the European Parliament and the representatives of the Associated States' parliaments.

The following year, the report⁴² noted that all the Associated States visited by the delegation were now independent, and drew the necessary conclusions, partly based on the statements by leading figures from the Associated States: financial aid should comply with the autonomous economic choices of the Associated States, even where these were quite different from the principles of a free, capitalist economy based on the Community Treaties. On the more purely institutional level, the report addressed the issue of the direct representation of the Associated States within the Community, already being implemented, and the reverse, the format of which was still under debate, namely Europe's representation within the Associated States.

The Assembly's resolution⁴³, which was solely devoted to institutional aspects, called for work on the new association regime to be speeded up.

³⁸ EPA resolution on the *organisation of a governmental conference*, OJ, 27.4.1960, p. 704.

³⁹ At the same time, a separate resolution, dealt with above, made provision for a Parliamentary Conference.

⁴⁰ EPA - Committee on the Association... and Delegation... mandated to carry out a study mission...- *Report on the legal and political issues relating to the Association of the Community with the overseas countries and territories examined during the second study and information mission*. Doc. 83/60 Rap: Peyrefitte.

⁴¹ These concerns were reflected in the desires set out in the *resolution of 24 November 1960 on the problems of the Association of overseas countries and territories with the European Economic Community*, OJ, 16.12.1960, p. 60.

⁴² EPA - Committee for Cooperation... and Delegation... mandated to carry out a study mission...- *Report on the political aspects of the Association of the Community with the overseas countries and territories examined during the third study and information mission*. Doc. 18/61. Rap: Kapteyn.

⁴³ EPA resolution of 24 November 1961 on the *problems of the Association of overseas states and territories with the European Community*, OJ, 15.12.1961, p. 1555.

4. Economic issues relating to the Association of OCTs (1959-1961)

The 1959 report on economic problems⁴⁴ was a detailed description of the situation of the countries visited by the delegation and is also of historical interest for students of Africa's economic history. In terms of changes to the Community's development policy, the paragraphs in the report on the institutional and legal aspects of the Association that are devoted to the economy are perhaps of the greatest significance: these paragraphs, in fact, go to the essence of the economic problems by linking them to prospects for the development of the Association.

In terms of short- and medium-term issues, the Duvieusart report started from the observation that industry in the OCTs was, in the main, weak, and the imbalance in their balances of payments. This situation placed them in a position of economic subordination with regard to the European state with which they had privileged relations. Only through an improvement in their balance of payments and diversification in their sources of credit, through the Development Fund, would they be able to reduce, if not eliminate, their dependence. However, reductions in the customs duties charged by the Community had so far been modest (10%) and had surreptitiously been offset by national excise duties, so that although there had been some benefits linked to the Association, they had so far been modest. On the other hand, the nascent industries of the OCTs needed the protection of customs duties, which, however, could not be so high as to lead to an increase in production costs.

Development requires massive investment, and for this investment the Fund created by the Treaty was essential, although the expectations raised by it were excessive and risked leading to bitter disappointments. For this reason, it was important to attract private capital to the OCTs as well. In order to incentivise this, it would be necessary for the associated countries to adopt legislation with suitable guarantees and a right of establishment applied in a liberal and law-abiding manner. Nonetheless, the Peyrefitte report raised fears among the élite in the OCTs that the Association would essentially be the continuation of colonial exploitation in a different form and, in particular, despite the undoubted hopes aroused by the Development Fund, there were fears regarding the effects it would be likely to have in terms of financial dependency.

Taking a long-term view, the issue of investments would also have to tackle demographic growth, both in terms of infrastructure and in terms of orienting development in such a way as to avoid, or restrict, urbanisation - i.e. by developing the rural economy. The Peyrefitte report featured an in-depth analysis of migration movements to the cities and the resulting problems.

One original idea in the Peyrefitte report was the suggestion for the OCTs to lay down a common agricultural policy, linked to the European one, which in 1959 was, in any event, still embryonic.

⁴⁴ EPA - Committee on the Association... and Delegation... mandated to carry out a study mission...- *Report on the economic issues raised by the Association of overseas countries and territories with the Common Market*. Doc. 67/59. Rap: Peyrefitte.

In the debate that followed in the Assembly, it is worth noting the speeches by Mr Van der Goes⁴⁵ and Mr Charpentier⁴⁶ on environmental problems and their effects on agriculture. The former focused on deforestation and the latter on soil erosion and the distribution of water for irrigation purposes.

The resolution of 27 November cited above incorporated the main points of the Peyrefitte report, both with regard to trade, where it hoped for the safeguarding of the preference granted to the OCTs in trade policy as compared with third countries, and in relation to the funding of development. A specific point was made of the need to ensure that African agriculture evolved swiftly and rationally.

The 1960 report⁴⁷ updated and explored more deeply the description and analysis of the various associated countries and focused on the issue of trade and financial aid. The positions adopted in the report were echoed in the resolution of 24 November 1960, which, specifically, *considered that a mechanism should be set up to stabilise the prices of raw materials, which would constitute one of the most effective forms of aid from Europe to the development of the associated overseas countries and territories.*

The report from the subsequent year⁴⁸ contained an in-depth review and mature reflections on the economic problems of the Associated States as a whole in terms of living standards, production, infrastructure, trade and the financial situation, highlighting the criticisms of the Development Fund, mainly concerning the slow procedures and excessively detailed information required from developing countries. In conclusion, the report argued that the Community ought to step up its efforts in aid for trade and finance.

For trade, the report stated that the Community ought to grant a preferential system for African agricultural products and the stabilisation of their prices. For financial aid, which was starting to produce effects, it said the necessary improvements should be agreed in partnership with the Associated States.

5. Social issues relating to the Association of OCTs (1959-1961)

The third report in 1959⁴⁹ provided a detailed account of social issues in the OCTs, addressed through a subject-based approach. It included detailed information on the demographic structure and the situations in relation to health, schooling and social insurance; detailed consideration was also given to the issues of employment, salaries, unemployment, vocational training, trade union rights and the movement of workers, both within each overseas country⁵⁰, between them and between the OCTs and the Community (in both directions); the situation of women and problems connected with polygamy were also covered.

⁴⁵ EPA Debates - session of 24 November 1959, p. 123.

⁴⁶ EPA Debates - session of 26 November 1959, p. 123.

⁴⁷ EPA - Committee on the Association... and Delegation... mandated to carry out a study mission...- *Report on the economic problems relating to the association of the Community with the overseas countries and territories examined during the second study and information mission.* Doc. 85/60. Rap: De Block.

⁴⁸ EPA - Committee for Cooperation... and Delegation... mandated to carry out a study mission...- *Report on the economic aspects of the association of the Community with the overseas countries examined during the third study and information mission.* Doc. 19/61. Rap: Geiger.

⁴⁹ EPA - Committee on the Association... and Delegation... mandated to carry out a study mission...- *Report on the social issues of the African countries associated with the European Economic Community visited by the delegation.* Doc. 70/59. Rap: Nederhorst.

⁵⁰ In the Belgian Congo this was subject to authorisation in order to restrict urbanisation.

The document itself should be consulted for a description of the situation; here, it suffices to note that its conclusions did not relate in particular to the prospects for development of social policy for the associated countries, but rather constituted a genuine list of the actions, primarily financial ones, to be taken for each of the subjects examined.

More general recommendations were contained in the resolution of 27 November, which considered aid on the social level to be a necessary pre-condition for economic development. The recommendations focused on vocational training, seen as a tool for developing employment, and on health.

Also on social issues, the 1960 report⁵¹ constituted an update to the previous one, endorsing its basic proposals. One of the points contained in the resolution of 24 November 1960 was a proposal for financial aid to cover not only the delivery of infrastructure and structures in the social realm but also their operation.

The 1961 report⁵² continued the approach of the previous years and stood out because of its conclusions, which stressed the need to find solutions to the various problems that took account of the specific African context. Nonetheless, it stated that the solutions should be placed within the framework of a general development of the economy, social organisations and education⁵³.

6. Issues relating to the Caribbean territories and regional organisation

It was not until the end of 1963, when the second stage of cooperation had already begun, with the signing of the Yaoundé Convention with the Associated African States and Madagascar, which had meanwhile become independent, and with the adoption of separate measures relating to the (non-African) countries and territories that were not yet independent, that the European Parliament sent a study mission to the Caribbean.

The European Community had particular ties in that region with various territories in the Caribbean: in addition to the Netherlands Antilles and Suriname, there were the overseas French departments of Guyana, Martinique and Guadeloupe. The 1958 Convention had extended contributions from the Development Fund to the overseas French departments, including Réunion in the Indian Ocean. Following the Yaoundé Convention, restricted to the Associated African States and Madagascar, the Caribbean departments and territories were allocated USD 70 million.

These departments and territories were part of the Organisation of Caribbean States, founded in 1961 by France, the Netherlands, the United Kingdom and the United States for cooperation between the various territories in the region. As well as the territories linked to the two Member States of the Community, the organisation included British Guyana,

⁵¹ EPA - Committee on the Association... and Delegation... mandated to carry out a study mission...- *Report on the social problems relating to the Association of the Community with the overseas countries and territories examined during the second study and information mission*. Doc. 86/60. Rap: Pedini.

⁵² EPA - Cooperation Committee... and Delegation... mandated to carry out a study mission...- *Report on the social aspects of the countries visited during the third study and information mission*. Doc. 20/61. Rap: Peyrefitte.

⁵³ Note the EPA resolution of 20 December 1961 on the provision of emergency aid to the Republic of Somalia, OJ, 17.1.1962, p. 72, which, following serious floods, asked the Commission to do everything it could to make an active contribution to the rapid reinstatement of the economy of Somalia and the mitigation of the losses suffered by the Somali people.

Puerto Rico (USA) and the British and American Virgin Islands, while the British Antilles islands⁵⁴ participated in it as special observers.

As noted by the report on a study mission⁵⁵, the Organisation of the Caribbean States was *too weak and totally lacking in resources for a community of economic interests, but the awareness of the existence of this set of interests is becoming increasingly marked. It might translate in practice into the implementation of a joint plan allowing the various countries to make provision for manufacturing units for certain products across the Caribbean as a whole, preventing the territories from seeking solely to meet the needs of their own markets and thereby competing against each other.*

On the more specific issue of the problems of the territories visited, the report carried out a close and detailed examination, observing in general that there was a need for new transport infrastructure, which in part had already been planned, and dealing with the needs of the various productive sectors of agriculture, industry and tourism as one unit. The European Parliament gave its opinion on the study mission⁵⁶, welcoming the drafting of development plans in all these territories and calling on the Commission to grant them its economic assistance.

7. The first European Development Fund

A fundamental instrument of cooperation was the Development Fund, governed by the implementing Convention in the fourth section of the Treaty of Rome, and specifically by its first six articles and by the two annexes to the Convention. It had been established to cover five years (1958-1962), but since this period related to the payment of contributions by the Member States, in fact its activities ended in 1964.

The Fund was the instrument through which the Member States *participate[d] in measures which [would] promote the social and economic development of the countries and territories listed in Annex IV to [the] Treaty, by supplementing the efforts made by the authorities responsible for those countries and territories*⁵⁷. It was funded by the Member States, but administered by the Commission. The Commission therefore administered it with resources specifically allocated by the Member States in line with a distribution table set out in Annex A to the Convention. Aid from the Fund to the OCTs was supplementary to action by the 'authorities responsible', an expression referring not only to the authorities of the country or territory in receipt of the aid, but also the central authorities of the Member State in question.

The procedure laid down a certain degree of participation, since the Convention stated that *the authorities responsible for the countries and territories [should], in agreement with the local authorities or with the representatives of the peoples of the countries and territories concerned, submit to the Commission the social or economic projects for which financing by the Community [was] requested*⁵⁸.

⁵⁴ Dominica, Montserrat, Saint Lucia, Saint Kitts and Nevis, Anguilla and Saint Vincent.

⁵⁵ EP - Committee for Cooperation...- *Report on the study and information mission carried out in the Netherlands Antilles, Suriname, French Guyana, Martinique and Guadeloupe*. Doc: 121/63. Rap: Charpentier. This report is the source for the wording of this paragraph.

⁵⁶ EP resolution of 23 January 1964 on the study and information mission carried out in the Netherlands Antilles, Suriname, French Guyana, Martinique and Guadeloupe, OJ, 8.2.1964, p. 426.

⁵⁷ Article 1 of the *Implementing convention on the Association of the overseas countries and territories with the Community*.

⁵⁸ Article 2 of the *Implementing Convention*.

However, the projects were part of the annual general programmes established in detail by the Commission and the Council: these laid down the distribution of the funds available annually for the funding of social entities (primarily hospitals and educational establishments, both general and vocational) and economic investments. The Council decided, by a qualified majority, on a proposal from the Commission both on overall distribution and on individual requests.

The application of this mechanism prompted criticisms regarding the slowness of the procedures and the arduous nature of the requirements to be met by the OCTs, particularly regarding the documentation required in support of requests. The report on the third study mission⁵⁹ echoed this and, subsequently, the Parliamentary Assembly asked the Committee on Cooperation to study the operation of the Fund and report back to it⁶⁰.

This duty was discharged with a report⁶¹ which confirmed the criticisms gathered by the study mission, observing that the incomplete nature of the files involved shuttling between Brussels and the African capital, with the capital of the Member State responsible for the territory also being involved, if it was not an independent state. In addition, there were difficulties regarding the appointment of technical inspectors. All these difficulties meant that the average length of the procedure, from the submission of the request to the start of implementation of a project, was 22 months.

The report stated that certain difficulties had been overcome: the independence achieved by nearly all the OCTs had led to the elimination of the time spent in the Member State responsible, and the appointment of technical inspectors had also become more rapid. Even so, there were eight stages in the procedure and six months were required in order to draw up the file, to which a further two months had to be added for the adoption of the Council's decision, a further month for the signing of the funding agreement and, finally, three or four months for the publication of the invitation to tender.

Since a significant cause of the length of the procedure was a lack of staff in the Fund's management department, increasing their numbers could lead to an improvement in the procedure, but it would also be very useful to increase the assistance provided to the OCTs regarding completing the application documents.

In 1964, the European Parliament took stock of the first Development Fund⁶². At the end of 1963, of the 581.5 million units of account paid by the Member States, 561 million had been committed, of which 62% had been allocated to economic investments and 38% to social investments⁶³. Of these commitments, only 197 million had been spent by 30 September 1964, so that a borrowing requirement of a further 4 million units of account was forecast for the expenditure of the commitments not yet used.

⁵⁹ EPA – Committee on Cooperation... and Delegation... mandated to carry out a study mission...- *Report on the economic aspects...* Doc. 19/61. Op. cit.

⁶⁰ EPA resolution of 10 March 1961 on the operation of the Development Fund, OJ, 6.4.1961, p. 555.

⁶¹ EPA - Committee on Cooperation...- *Report on the operation of the Development Fund*. Doc. 22/61. Rap: Carcassonne.

⁶² EP – Committee on Cooperation...- *Report on taking stock of the first Development Fund and the lessons to be learnt for the operations of the second Fund*. Doc. 95/64. Rap: Armengaud.

⁶³ The remaining 20 million were earmarked for Suriname, which had just been recognised as an overseas territory, and the Netherlands Antilles, which would be recognised with effect from 1 October 1964.

In total, 367 projects had been financed, of which, as of 30 September 1964, 46 had been completed, 231 had been fully committed, 85 were at the tender stage and for five the financing agreement had not yet been signed. As for the nature of the projects financed, they related to 350 hospitals with 9 000 beds, 3 000 primary school classrooms, 2 500 units of accommodation for teachers, 24 secondary schools, 166 technical training centres, 2 900 km of asphalt roads, 1 800 of non-asphalt roads, 1 500 km of track, 360 bridges, 440 km of railway, the organisation of 17 ports and the construction of a total of six kilometres of harbour walls and jetties, 1 600 wells and 100 irrigation dams, as well as works for many other small agricultural and water-related items of infrastructure. Therefore, the Fund was essentially directed towards infrastructure and the report, agreeing with the Commission, considered that the foundations had been laid for the Fund to focus more in the future on investment in agricultural and industrial production. This observation was made by Parliament itself in its resolution on the subject⁶⁴.

⁶⁴ EP resolution of 23 November 1964 on taking stock of the first Development Fund and the lessons to be learnt for the operations of the second Fund, OJ, 11.12.1964, p. 3485.

CHAPTER II

THE FIRST YAOUNDÉ CONVENTION

1. The beginning of parliamentary cooperation

As has already been seen, the resolution of 27 November 1959 recommended that the multilateral nature of the Association be developed. This was followed up by two resolutions dated 31 March 1960. Specifically, one⁶⁵ instructed Parliament's Bureau to organise a Parliamentary Conference with joint participation by Members of the European Parliament and representatives of the parliamentary bodies of the OCTs.

The issue was the subject of debate in the Bureau in various meetings during 1960, at which the various aspects, both political and administrative, were explored in liaison with the Commission and the Council, which wanted to see the Parliamentary Conference postponed until the following year. Intensive work ensued, involving the Presidency of the Assembly, the Committee on Political Affairs and their external partners⁶⁶. On 9 March 1961 the President informed the assembly that the preparatory work for the Parliamentary Conference had been completed, and that it would be held in Strasbourg from 18 to 24 May 1961.

This was the final result of a meeting with the 16 African and Malagasy Parliaments held in Rome, where, as President Furler emphasised, the decisions taken were unanimous. These decisions concerned the establishment of a contact committee, made up of the presidents of the 16 Associated States and an equal number of members of the Parliamentary Assembly. Unanimity had also been achieved regarding the subjects to be handled by the Conference: political and institutional issues, technical and cultural aid and the Development Fund.

At the same time as this communication, the Parliamentary Assembly established a working group with the remit of drafting working documents on the subjects stipulated. The working group included the members of the Committee on Development Cooperation⁶⁷. At its first meeting, which took place on the same day, four rapporteurs were appointed to write four documents: Mr Scheel was allocated the general report, Mr van der Goes van Naters the report on political and institutional aspects, Mr Duvieusart the report on economic aspects and Mr Peyrefitte the report on the Development Fund⁶⁸.

The Conference was held in June 1961 and concluded with the adoption of five recommendations devoted respectively to *political and institutional issues, economic and commercial problems, problems relating to technical cooperation and cultural exchange, the Development Fund and the follow-up to the recommendations adopted by the Conference*⁶⁹.

⁶⁵ *On the organisation of a Parliamentary Conference...*, OJ, 27.4.1960, p. 706. The other resolution, which proposed an intergovernmental conference, was dealt with in the previous chapter.

⁶⁶ See the communication by the President in *EPA Debates - session of 30 June 1960*, p. 162.

⁶⁷ On 7 March the Committee on Association had adopted this name.

⁶⁸ PE0 - ad hoc working group - *Minutes of the meeting of 9 March 1961*. CARDOC PE0 AP PV/DEVE.1961 DEVE-19610309 0010. These are the only minutes from the working group to have been located.

⁶⁹ CONFERENCE BETWEEN THE EPA AND THE PARLIAMENTS OF THE AFRICAN STATES AND MADAGASCAR. *Extract from the minutes of the session of 24 June 1961*. CARDOC ACP-EEC Fund being established. The five documents were also published as session documents of the EPA, numbered 38/6 to 42/61, of which No 41/61, the recommendation on the Development Fund, is missing. The text of the five recommendations is contained in Annex I of EPA-Committee for Cooperation with the Developing

The first recommendation, on political and institutional issues, was that principles of the Association, based on the principles of the United Nations Charter, were the recognition of the equal sovereignty of the states, respect for territorial integrity, political and economic independence and human rights. On this foundation, it stated that the aim of the new Association ought to be the economic and social development of the Associated States and, first and foremost, the interests of their inhabitants. The new Association ought to be open to all the African states and should make provision for a joint Parliamentary Conference and Association Council, direct representation of the Associated States at the EEC and vice versa, and an arbitration tribunal.

The second recommendation, on economic issues, called for the intensification of trade between the Community states and Associated States through a tariff preference and the removal of internal consumption taxes on tropical products, the prices of which should be stabilised, guaranteeing producers a fair profit independent of exchange rate fluctuations.

The third recommendation, on technical cooperation and cultural exchange, focused on cooperation in the realm of teaching and vocational training.

The fourth, on the Development Fund, called for the Commission to continue its efforts to speed up the procedures for the fund then in operation. With regard to the fund due to replace it in 1963, the recommendation called for this to be based on the principle of equality between the Associated States and the Community, and to be given more flexible rules, new criteria for the distribution of resources and increased resources.

The final recommendation simply called upon the European Parliamentary Assembly and the parliaments of the Associated States to urge the relevant governments to implement the first four recommendations.

The Parliamentary Assembly endorsed the recommendations and considered it absolutely essential for the ministerial meeting between the EEC Council and the Associated African States and Madagascar (AASM), at that time called the governmental conference, held in Paris on 6 and 7 December 1961, to take these proposals on board and achieve concrete results to make it possible to start the work of joint groups⁷⁰.

Countries - Working document on the problems of the Association of the overseas states and territories associated with the Community in the light, in particular, of the recommendations adopted by the Strasbourg Eurafrican Conference. Doc. 92/61. Author: Dehousse. CARDOC PEO AP RP/DEVE.1961 A0-0102/61 0020.

⁷⁰ EPA resolution of 24 November 1961 on the problems of the Association of overseas countries and territories, OJ, 15.12.1961, p. 1555.



Signing in Yaoundé (Cameroon) of the Yaoundé I Convention: Modibo Keita, President of Mali, (on the left) and Mokter Ould Daddah, President of the Islamic Republic of Mauritania

2. The Permanent Joint Committee and renewal of the Convention

The Conference also set up a *Permanent Joint Committee*, made up of 16 members of the Parliamentary Assembly and the same number from the Associated States, which met from 8 to 10 January 1962 in Abidjan to take stock of the situation following the conclusions of the Paris Conference⁷¹: the follow-up to these conclusion had not been satisfactory, as stated by the recommendation adopted at the end of the working sessions⁷². The recommendation compared the results achieved up to that point in the decision-making procedure in terms of renewing the Association Convention with the recommendations of 24 June 1961 and criticised the slow speed adopted, the deficiencies and ambiguities. The report with which the Cooperation Committee accompanied the motion for a resolution was a pointed comment on the recommendation by the Permanent Joint Committee. The resolution adopted endorsed the recommendation of 10 January 1962⁷³.

⁷¹ MEETING BETWEEN THE AFRICAN STATES... AND THE EEC COUNCIL. Final document of 7 December 1961, *Principles and objectives of the new Association Convention*, Annex II to EPA-Committee on Cooperation with Developing Countries - Report on the recommendation by the Permanent Joint Committee adopted in Abidjan on 10 January 1962 (Doc. 133). Doc. 139/61. Rap: Moro.

⁷² EPA Recommendation of the Permanent Joint Committee established by the Conference... Doc. 133/61; it is also Annex I to EPA-Committee for Cooperation with Developing Countries - Report on the recommendation... *Op. cit.*

⁷³ EPA resolution of 22 February 1962 on the recommendation by the Permanent Joint Committee adopted in Abidjan on 10 January 1962, OJ, 16.3.1962, p. 361.

The second ministerial meeting between the EEC Council and the AASM was held in Brussels on 9 and 10 April 1962, and reached a decision to create a new five-year Convention, for which it established the principles to be applied to trade, financial and technical cooperation. On commercial matters, the principles enshrined in the Treaty were confirmed, with certain significant innovations: the replacement of customs duties for some products from Associated States with the common external tariff, reduced to a level that was to be decided upon, measures to guarantee the then current level of exports to the EEC of coffee and bananas, tariff safeguard provisions and quotas to protect the industries of the Associated States. With regard to financial and technical cooperation, a new, unquantified appropriation from the Fund was decided upon, as was diversification of Community interventions, both in the investment realm and in the realm of local organisations, to help Associated States to deal with short-term price fluctuations⁷⁴.

The permanent parliamentary committee saw positive and negative aspects in the outcome of the ministerial meeting: it welcomed the acceleration of the dismantling of customs duties, but regretted certain aspects, particularly the silence on the issue of consumption taxes internal to the Member States, and called for the measures laid down for bananas and coffee to be extended to oil products. With regard to financial and technical cooperation, it regretted the failure to quantify the new Development Fund and wanted to see better definition of Community intervention regarding vocational training. In addition, the permanent parliamentary committee addressed the subject, which had not been dealt with in the ministers' resolution, of the institutions of the Association, reaffirming the proposals of the 1961 Parliamentary Conference and taking them further as regards the parliamentary institution, which it said should hold an annual session alternately in Europe and in an associated state, establish committees and examine the report of the Association Council⁷⁵. The committee returned to these issues in two documents dated 5 October⁷⁶. These were a follow-up to the third ministerial meeting held on 5 July, which was purely an interim meeting.

Finally, the fourth ministerial meeting of 23 and 24 October 1962 resolved some problems on the table and launched the drafting stage of the new Convention. This set the amount of the Fund at 730 million units of account, of which 620 million constituted non-reimbursable aid and the remainder loans, either from the Commission or from the EIB, whose destination was specified in detail. With regard to trade, measures derogating from the principle of reciprocity were laid down, the cost of which were to be borne by the European partners⁷⁷.

⁷⁴ *Final resolution of the second ministerial meeting between the EEC Council and the AASM (Brussels, 9 and 10 April 1962), Annex II to EPA-Committee for Cooperation with Developing Countries - Report on the recommendation adopted by the Permanent Joint Committee in Strasbourg on 15 May 1962 (Doc. 32) and the current problems of the Association linked to it. Doc. 57/62. Rap: van der Goes van Naters.*

⁷⁵ *Recommendation adopted by the Permanent Joint Committee established by the Conference of the European Parliament with the Parliaments of the Associated African States and Madagascar (Strasbourg, 15 May 1962), Annex I to EPA... Doc. 57/62. Op. cit. The European Parliament endorsed the recommendation by the permanent parliamentary committee and called for a swift conclusion to the negotiations for the new convention, in its resolution of 28 June 1962 on the recommendation adopted by the Permanent Joint Committee in Strasbourg on 15 May 1962 and the current problems of the Association linked to it, OJ, 25.7.1962, p. 1802.*

⁷⁶ *Recommendation of the Permanent Joint Committee established by the Conference... and final communiqué adopted by the Permanent Joint Committee... at the conclusion of the Antananarivo meeting, Annexes I and II in EPA - Cooperation Committee...- Report on the recommendation adopted by the Permanent Joint Committee in Antananarivo on 5 October 1962 (Doc. 90) and the prospects offered by the fourth ministerial meeting between the EEC and the Associated States. Doc. 99/62. Rap: Duvieusart.*

⁷⁷ *FOURTH MINISTERIAL MEETING BETWEEN THE EEC AND THE AASM, Brussels 23-24 October 1962, Annex IV to EPA - Cooperation Committee...- Report on the recommendation adopted by the Permanent Joint Committee in Antananarivo on 5 October 1962... Doc. 99/62. Op. cit.*

At the same time, the European Parliament made a statement on the recommendation by the permanent parliamentary committee of Antananarivo and on the fourth ministerial meeting, endorsing the position of the former, but expressing satisfaction at the progress made in the ministerial meeting. The most significant point was probably that devoted to the institutional issue, which the *Final document* of the ministers did not mention, but implicitly asked for it to be resolved during the stage of drafting the Convention. The European Parliament

...drew the attention of the EEC Council to the need to resolve institutional issues within the framework of this new Convention in line with the wish it had expressed on several occasions, and in particular to leave the definition of the modes of parliamentary cooperation within the context of the Association to the parliaments of the states that were members of the Association and the European Parliament themselves⁷⁸.

3. Legal and political issues relating to renewal of the Convention

As the end of 1962 approached, bringing with it the expiry of the Convention that had been in force since 1958 and the requirement for the next one to be signed, procedural issues emerged alongside the questions of content: should the Community procedure apply to the renewal of the Convention, or should it be ratified by the Member States? A report was drawn up on this subject by the Cooperation Committee⁷⁹, based on Article 136(2) of the Treaty⁸⁰ and the observation that some of the articles of the Convention in force had implicitly made provision for the possibility of a delay in renewal, stipulating what would happen to quotas and the right of establishment after the expiry of the Convention. Another problem was that many of the associated countries and territories had in the interim gained independence, making the Council's decision a mere offer to the counterparties, which the Associated States would be able to accept, sign and ratify.

As far as the Community was concerned, Article 136 was therefore insufficient, and it was necessary to combine it with other provisions of the Treaty. The dilemma therefore arose as to whether to apply Article 236, relating to the amendment of the Treaty, since the new Convention would amend part 4 of the Treaty, or Article 238, which granted the Community the power to conclude association agreements. The former solution was based on the extension of the financial aid beyond the five years provided for in the Treaty and on the removal of the customs duties, which was a fiscal measure.

The report favoured the second solution, arguing in particular that, on the basis of the resolutions adopted by the Council up until that point, it did not seem that the new Convention was a revision of the Treaty, while, in relation to financial aid, reference was made to similar decisions, on the basis of which the participation of the Member States

⁷⁸ EP resolution of 21 November 1962 on the recommendation adopted by the Permanent Joint Committee in Antananarivo on 5 October 1962 and the prospects offered by the fourth ministerial meeting between the EEC and the Associated States, OJ, 14.12.1962, p. 2857.

⁷⁹ EP - Cooperation Committee...- Report on the interpretation of Article 136 of the Treaty establishing the European Economic Community and the powers of the European Parliament with regard to the renewal of the implementation convention referred to in that article. Doc. 77/62. Rap: Dehousse.

⁸⁰ Before the expiry of the Convention provided for in the preceding subparagraph, the Council, acting unanimously, shall, proceeding from the results achieved and on the basis of the principles set out in this Treaty, determine the provisions to be made for a further period.

in the financing of Community activities not provided for by the Treaty had not required ratification by the national parliaments.

The report also stressed the importance of consultation of the European Parliament in the process of concluding the association agreement, but strangely this point was not included in the resolution by means of which the Assembly adopted a position on the issue, calling for the application of Article 238⁸¹.

4. Towards the signing of the Convention

In addition to the legal problems, however, there were political obstacles standing in the way of the signing of the Convention⁸²: namely, the crisis into which the Community fell when on 29 January 1963 the negotiations for the accession of the United Kingdom were suspended. These negotiations had always had a positive influence on the negotiations for the renewal of the Convention, since there was a possibility of including the African states of the British Commonwealth in the Association, together with the adjustments that such an enlargement would have involved.

The breaking off of negotiations gave rise to a crisis of confidence in the European project, which was to have an adverse impact on the Community until the Luxembourg compromise of 30 January 1966. The first symptom of the consequences of this crisis on the Convention was the tacit postponement of signature.

On 8 February 1963 the European Parliament adopted a resolution in which it called upon the Council, the Commission and the national parliaments to ensure that the new Convention entered into force as soon as possible⁸³, but the situation that had arisen was the subject of a more in-depth examination with a report the following month⁸⁴ which focused on the consequences of the delay: the Development Fund was expected to come to the end of its resources before the summer, with serious adverse effects for those countries which derived a large part of their public investment from it and potential serious repercussions on their stability, including in the political arena. In terms of trade, there might be serious consequences linked to the lack of revenue to producers in the Associated States deriving from the compensatory measures laid down by the new Convention. Finally, a lack of confidence in the Association would arise, which would bolster those in the Associated States who were opposed to it and would also compromise the discussions in progress regarding its extension to other African states. The report suggested some transitional measures to mitigate the problems arising pending the renewal, but called above all for the date of signature to be decided upon at the next meeting of the Council. The European Parliament endorsed the concerns expressed and the demands made in the report⁸⁵.

⁸¹ EP resolution of 19 October 1962 on the procedure for concluding and implementing the new Association Convention, OJ, 12.11.1962, p. 2673.

⁸² The draft convention had been initialled on 20 December 1960.

⁸³ EP resolution of 8 February 1963 on the entry into force of the new Association Convention, OJ, 4.3.1963, p. 473.

⁸⁴ EP - Cooperation Committee...- *Interim report on the problems raised by the current situation of the Association and in particular by the postponement of the signing of the new convention*. Doc. 13/63. Rap: Thorn.

⁸⁵ EP resolution of 25 March 1963 on the problems raised by the current situation of the Association and in particular by the postponement of the signing of the new convention, OJ, 19.4.1963, p. 1283.

5. The Yaoundé Convention

On 20 July 1963, exactly seven months after it was initialled, the Association Convention was signed⁸⁶ in Yaoundé. The European Parliament adopted two resolutions on the Convention, based on equally weighty reports, one on the Convention⁸⁷ and the other on agreements internal to the Community⁸⁸.

The former approved the Convention together with the documents annexed to it, expressing satisfaction regarding the joint nature of negotiations and the joint inspiration for Part 4 of the Convention, which dealt with the institutions⁸⁹. On this point, however, the resolution postponed giving an opinion on Article 50⁹⁰ of the Convention and Article 2 of Protocol No 6⁹¹ until after its own President, who would, if necessary, receive a mandate, had discussed with the national parliaments of the Associated States the procedures for parliamentary cooperation.

The reasons for the reservation may be found in the report, which analysed the Convention and the annexed documents article by article. On Article 50, it expressed the conviction that the ways in which internal bodies were made up and possibly created fell within the sole remit of the parliaments of the Associated States and the European Parliament, while relations with the Association Council were a matter for internal regulation by the Conference. The report stated, too, with reference to Article 2 of Protocol No 6, that this should also apply to arrangements governing its own expenses.

The second resolution concerned the agreements internal to the Community, namely three legal acts under which the Community regulated its own participation in the Association or, in the case of the third, the way in which the provisions of the Convention were applied to imports of unroasted coffee into the Community. The first two legal acts are of greater interest: they are the *internal agreement on the measures to be taken and procedures to be followed for the implementation of the Association Convention between the European Economic Community*

⁸⁶ There were 18 Associated States: Upper Volta, Burundi, Cameroon, Central African Republic, Chad, Congo-Brazzaville, Congo Léopoldville, Côte d'Ivoire, Dahomey, Gabon, Madagascar, Mali, Mauritania, Niger, Rwanda, Senegal, Somalia, Togo.

⁸⁷ *EP resolution of 16 September 1963 on the Association Convention between the European Community and the Associated African States and Madagascar, and the annexed documents*, OJ, 28.9.1963, p. 2384, following on from the EP - Cooperation Commission...- *Report on the Association Convention between the European Community and the Associated African States and Madagascar, and the annexed documents* (Doc. 59 II). Doc. 65/63. Rap: Thorn.

⁸⁸ *EP resolution of 16 September 1963 on the internal agreements of the European Economic Community on the Association Convention between the European Community and the Associated African States and Madagascar*, OJ, 28.9.1963, p. 2385, following on from the report by the Cooperation Committee... of the same title. Doc. 67/63. Rap: Hahn.

⁸⁹ The association's institutions were the Association Council, assisted by an association committee (corresponding to the Community Coreper), the Parliamentary Conference and an arbitration tribunal. The Association Council was made up of members of the EEC Council (i.e. six members, one for each Member State), members of the Commission (a number equal to the difference between the number of members from the Associated States and the number from the Member States) and one member for each associated state; the Council decided, by common agreement between the two delegations, on the issues laid down by the Convention. The arbitration tribunal, was made up of a President and four members, two for the Community and two for the Member States, appointed for the duration of the Convention (five years); it heard disputes concerning the Convention between the Member States, the Associated States and the Community. For the Conference, see the following note.

⁹⁰ This article established the Parliamentary Conference, laying down only the requirement for there to be an equal number of members of the European Parliament and members of the parliaments of the Associated States, without specifying their number or how they should be appointed. The Conference could adopt resolutions and received a report every year from the Council on the activities carried out. It met once a year and a joint committee prepared its work.

⁹¹ This article provides that expenditure relating to the Parliamentary Conference and its members' travel and accommodation shall be borne by the Community and the *Associated States*, each being responsible for their own representatives.

and the Associated African States and Madagascar⁹² and the internal agreement on the financing and management of the Community's aid⁹³.

The former governs the creation of the Community's common position within the Association Council, established unanimously by the Council in various forms, which provide for obtaining an opinion from or consulting the Commission, as appropriate, the adoption of Community acts resulting from the decisions by the Association Council, and other issues relating to disputes. The financial agreement distributes the funding of the Development Fund between the Member States and, among other points, establishes a procedure for approving funding requests.

The resolution on the internal agreements, in line with the corresponding parliamentary report, approves them, hoping that the unanimity rule laid down for the adoption of the common position might be replaced as soon as possible by a qualified majority rule and pointing to the powers of the European Parliament concerning the scrutiny and discharge given to the Commission (the executive) regarding the management of the Development Fund. Subsequently, it adopted positions on certain specific problems, with corresponding resolutions, partly on the margins of the Convention.

6. Organisation of the Parliamentary Conference

The legislative gaps left by the Yaoundé Convention on some aspects of the Parliamentary Conference, some of them significant, were filled in its preparatory meeting held on 21 and 22 February 1964 in Messina⁹⁴. First of all, the number of members was established: 3 for each of the 18 Associated States and the same number for the European Parliament, totalling 108. Each parliament set the length of the mandate and the rules governing incompatibility of office for the members appointed by it.

The Conference was to elect its own President annually, choosing alternately between the members of the Associated States and those of the European Parliament, and at the same time was to elect seven vice-presidents so that the Office of the Presidency contained an equal representation of the two components of the Conference.

The joint committee was made up of one member for each associated state and 18 European members, elected by the Conference from within its body. One specific feature was that the President and Vice-President of the committee were to be elected by the Conference, and would also alternate, but in the opposite way to the alternation for the Presidents of the Conference⁹⁵.

⁹² Annex I to EP - Cooperation Committee...- *Report on the internal agreements...* Doc. 67/63. *Op. cit.*

⁹³ Annex II to EP - Cooperation Committee...- *Report on the internal agreements...* Doc. 67/63. *Op. cit.*

⁹⁴ The report on the outcome of this preparatory meeting states that it had been proposed by the Cooperation Committee in an opinion requested from it by the President of the European Parliament and issued on 19 November 1963. In the opinion, which is Annex IV to the minutes of the session, there is in fact no such proposal. According to the report, one member of each parliament of the Associated States and an equal number of members of the European Parliament participated in the preparatory meeting (the same composition proposed by the opinion for the joint committee). The meeting was held on the basis of two documents presented jointly by the President of the European Parliament, Gaetano Martino, and the President of the Senegalese Parliament, Lamine Gueye. EP - Cooperation Committee...- *Report on the final decisions of the meeting preparatory to the Parliamentary Conference of the Association, held in Messina on 21 and 22 February 1964.* Doc. 42/64. Rap: Margulies.

⁹⁵ *Final decisions of the meeting preparatory to the Parliamentary Conference of the Association, held in Messina on 21 and 22 February 1964,* Annex I to EP - Cooperation Committee...- *Report on the final decisions....* Doc. 42/64. *Op. cit.*

The European Parliament welcomed these decisions and suggested to the Conference that it should entrust the joint committee with the drafting of the internal rules of procedure⁹⁶.

7. The European Parliament and the work of the Parliamentary Conference (1964-1969)

The three meetings of the Parliamentary Conference which were held in 1964, 1965 and 1966 were the subject of three reports⁹⁷ and three resolutions⁹⁸, which confined themselves to endorsing the decisions reached by the Conference. The cooperation problems which the relevant committee referred to the assembly were the subject of specific reports.

The European Parliament took a more nuanced position on the fourth Parliamentary Conference, which was held in Strasbourg from 4 to 7 December 1967, although it was anchored to the positions adopted by the Conference. The reference report⁹⁹ is largely an annotated record of the session, which ends with a mainly positive assessment of the state of the Association and also with a list of the issues to be resolved within the context of the forthcoming renewal of the Yaoundé Convention: methods for promoting trade, stabilisation of exchange rates, criteria for financial aid, vocational training and the EIB's procedures for intervention.

The European Parliament's resolution¹⁰⁰ recommended that negotiations for the renewal of the Convention should start on 1 June in order to avoid any interruption in the implementation of the agreements. It called specifically for the issue of stabilisation of exchange rates for tropical products to be addressed through the creation of a specific fund while, as regards the issue of development, it stated that it was necessary to ensure a fair division of resources and, as regards the EIB, it wished to be able to examine the main guidelines of its lending policy.

The issue of the renewal of the Convention was again at the heart of Parliament's resolution on the meeting following the Parliamentary Conference held in Antananarivo from 10 to 15 January 1969¹⁰¹, in which it called upon the Council to continue its commitment to concluding the negotiations by 31 May 1969. However, it was above all the reference report¹⁰² that gave an account of the expectations, particularly on the African side, concerning the renewal of the Convention: the fundamental issue was trade which, because of changes in world markets, was not satisfactory and was gradually declining; the future Convention

⁹⁶ EP resolution of 18 June 1964 on the final decisions of the meeting preparatory to the Parliamentary Conference of the Association, held in Messina on 21 and 22 February 1964, OJ, 9.7.1964, p. 1708.

⁹⁷ These were the following reports by the Cooperation Committee: Doc. 133/64, Rap: Carcassonne; 9/66, Rap: Metzger; and 16/67, Rap: Scarascia Mugnozza. They all had the same title: *results of the xxx meeting of the Parliamentary Conference of the Association, held in yyy from zz to ww 1966*.

⁹⁸ These were the resolutions of 20 January 1965 (OJ, 6.2.1965, p. 281), 11 March 1966 (OJ, 24.3.1966, p. 778) and 15 March 1967 (OJ, 3.4.1967, p. 975) with the same title as the corresponding report.

⁹⁹ EP - Committee on relations...- *Report on the results of the Fourth Meeting of the EEC/AASM Parliamentary Conference, held in Strasbourg from 4 to 7 December 1967*. Doc. 178/67. Rap: Aigner.

¹⁰⁰ EP resolution of 22 January 1968 on the results of the Fourth Meeting of the EEC/AASM Parliamentary Conference, held in Strasbourg from 4 to 7 December 1967, OJ C 10, 14.2.1968, p. 5.

¹⁰¹ EP resolution of 10 March 1968 on the results of the Fifth Meeting of the EEC/AASM Parliamentary Conference, OJ C 41, 1.4.1969, p. 5.

¹⁰² EP - Committee on relations...- *Report on the results of the Fifth Annual Meeting of the Parliamentary Conference of the EEC/AASM Association, held in Antananarivo from 10 to 15 January 1969*. Doc. 228/68. Rap: Vals.

was expected to be able to put this right through a price stabilisation mechanism¹⁰³. With regard to the ESF, the state of which was viewed more positively than that of trade, it would be necessary to direct its interventions towards the industrialisation of the Associated States, which constituted the main challenge in terms of their development.

8. The Yaoundé Convention and bilateral relations

First of all, there was a political problem which related to internal relations within the Community rather than the Association. In terms of the thinking behind the Yaoundé Convention, it ought to have constituted the frame of reference for relations between the Member States and the Associated States and probably, in the medium or long term, to have completely replaced the privileged relations between the Associated States and the relevant former colonial powers. Thus, Article 4 of the internal agreement on procedures¹⁰⁴ provided for an obligation to supply information on the bilateral agreements between Member States and Associated States, and a possible decision by the Council.

It may be imagined that, in the conception of the internal agreement, those situations envisaged by Article 4 would have been rare and exceptional. In fact, perhaps partly because the 1960s were the years of decolonisation and the opening up of new markets for the non-colonial powers, there were many agreements between Member States and Associated States. Germany, which had not been a colonial power, also launched a significant cooperation policy¹⁰⁵.

The cooperation committee monitored the phenomenon, through a specific working group and submitted a report¹⁰⁶, which contained an in-depth analysis of the cooperation policies of the five Member States¹⁰⁷, all of them apart from Luxembourg, observing, with concern, that *duplication and the risk of seeing a divergence in the policies adopted by the Member States and by the Community with regard to the Associated States were becoming almost inevitable*. To prevent these risks, the report proposed some coordination measures, the most effective of which was probably in the financial sphere: bilateral aid would have to be in addition to Community aid on the same projects and the Member States would have to underwrite the capital of the development banks of the Associated States. The European Parliament echoed the concerns of its committee and called on the Council to look at the coordination proposals of its committee and called on the Commission to report to it on the same issue¹⁰⁸.

¹⁰³ The report also mentions a real dispute between African and European delegates, in particular from a Member State which is not identified, on consumer taxes still levied on tropical products. The African delegates were calling for these to be removed, while the delegates from the unidentified Member State were claiming that the revenue from the taxes in question was financially necessary and that it would not be useful to remove these for the purposes of increasing consumption of the tropical products.

¹⁰⁴ *Internal agreement on the measures to be taken and procedures... Op. cit.*

¹⁰⁵ In November 1961 Walter Scheel, Chair of the Cooperation Committee, left the European Parliament and took on the post of Minister for Economic Cooperation in the Federal Government of Germany.

¹⁰⁶ EP - Cooperation Committee...- *Report on the coordination of bilateral relations between the Member States of the EEC and the Associated African States and Madagascar*. Doc. 77/64. Rap: van der Goes van Naters.

¹⁰⁷ In general, the four Member States that had 'colonial possessions' in various forms focused their attention on the Associated States historically linked to them, while Germany granted significant aid to almost all the Associated States.

¹⁰⁸ *EP resolution of 23 November 1964 on the coordination of bilateral relations between the Member States of the EEC and the Associated African States and Madagascar*, OJ, 11.12.1964, p. 3484.

9. Trade within the framework of the Convention

The 1960s saw the emergence of the issue of exchange rate fluctuations and the deterioration in terms of trade, which affected countries producing raw materials, particularly tropical agricultural products. This was a worldwide issue, which was also addressed within the context of the United Nations.

The Community approach was set out by Commissioner Rochereau in a speech to the European Parliament¹⁰⁹: it was necessary to develop the industry of developing countries, but meanwhile, during the time needed in order to do that... *we should do all in our power to increase trade and stabilise the prices of basic products*, as a report¹¹⁰ summarised the Commissioner's thinking, placing it at the heart of an in-depth analysis of the trade and economies of the Associated States, including the development of their industries. According to the report, the growth of trade depended solely on the Community, could be achieved over the short term and was a signal to the Associated States of the seriousness of the Community proposals. Generalised preference, which at that time was only at the planning stage, would not be sufficient to bring about growth unless it was accompanied by specific measures to increase consumption. In this regard, the Economic Community could organise a permanent office for the coordination of sales promotions, as suggested by studies by the Commission, and could also work for a gradual reduction in specific taxes. Concerning price stabilisation, there was a larger role for European public authorities to play, but there was no trace of such a policy in the European Parliament's resolution¹¹¹, which recommended a lending policy tailored to the specific investment needs in the associated countries.

10. Technical and cultural cooperation

This form of development aid, on which the delegates from the Associated States had been very insistent during negotiations on the Convention, was essential for their progress, including economic growth, and the European Parliament devoted considerable attention to it. The report on the issue¹¹² carried out an in-depth analysis of this activity, looking at it within the broader context of aid to developing countries including those outside the Association and of academic writing on the subject; anyone wishing to study this form of cooperation would find it useful to consult the report.

On the basis of the choices made by the Convention, the report distinguished between technical assistance providing investment and technical assistance providing training. Both help to make investment productive, but the former, above all, also plays a fundamental role in terms of financial assistance, making it possible to overcome the difficulties that the Associated States encounter regarding the drafting of funding applications to the Development Fund, as a result of training deficiencies in their civil services, and the lack of the data required when submitting such applications.

¹⁰⁹ EP Debates... session of March 1965, p. 35.

¹¹⁰ EP - Cooperation Committee...- *Report on the growth of trade between the European Economic Community and the Associated African States and Madagascar*. Doc. 100/65. Rap: Spenale.

¹¹¹ EP resolution of 23 November 1965 on the growth of trade between the European Economic Community and the Associated African States and Madagascar, OJ, 11.12.1965, p. 3121.

¹¹² EP - Cooperation Committee...- *Report on the current problems of technical and cultural cooperation within the framework of the Association between the EEC and the Associated African States and Madagascar*. Doc. 16/66. Rap: Moro.

This is *pre-investment* technical assistance, which was already carried out by the Commission, and included programming, special and regional development studies, technical and economic studies carried out prior to projects, and help with the preparation of applications. During the implementation of the investment, assistance included implementation and technical monitoring of the works and, in the subsequent stage, help with the establishment, launching and management of the investment and the temporary assumption of cost of the technicians and equipment necessary for the implementation of the project.

In general, however, the report hoped to see an increase in technical assistance not linked to a specific investment but consisting of contributions made by individuals, which might take the form of a study of specific problems¹¹³ or the training of professionals, placing the emphasis on the award of study grants.

The Assembly gave its opinion on the report¹¹⁴ and focused its attention on training, calling for it to be stepped up, but also for the funding of initiatives for sending young Europeans to carry out study and research in the Associated States.

11. Cooperation within the framework of Euratom and the ECSC

Above and beyond the Member States, the Yaoundé Convention saw the Economic Community as the sole counterpart to the Associated States, but forms of cooperation with the other two Communities arose very quickly.

Following a decision by the scientific committee of the OAMCE¹¹⁵ to promote research into the possibility of applying nuclear technology in the member states, Euratom had commissioned an expert to carry out a study on the issue. This had come to the conclusion that nuclear technology, at its state of development in the mid-1960s, could only be useful in the African continent for the use of radioisotopes in the agriculture and hydrology sectors. With that aim, Euratom launched four research projects, on the improvement of millet production, the destruction of the tsetse fly, the preservation of fish using irradiation and the preservation of fresh meat. A report devoted to these subjects¹¹⁶ stressed the participation of African institutions and expressed the hope that their personnel would benefit from training mechanisms similar to those already implemented within the framework of the Convention. The European Parliament supported collaboration in the nuclear sphere¹¹⁷.

With regard to the ECSC, it had been conceived in a purely continental way, limiting its territorial jurisdiction solely to the European territory of the Member States¹¹⁸. It followed that there was a lack of cooperation programmes with developing countries, probably

¹¹³ The report cites the example of the analysis of the management of the largest transport firm in the Congo.

¹¹⁴ EP resolution of 1 July 1966 on the current problems of technical and cultural cooperation within the framework of the Association between the EEC and the Associated African States and Madagascar, OJ, 19.7.1966, p. 2460.

¹¹⁵ African and Malagasy Organisation for Economic Cooperation. Founded in 1961, it was dissolved in 1964 as part of a wider restructuring of African cooperation organisations.

¹¹⁶ EP - Cooperation Committee...- Report on the activities of the European Atomic Energy Community concerning aid to developing countries. Doc. 74/66. Rap: van Hulst. The information given in the text is taken from the report.

¹¹⁷ EP resolution of 1 July 1966 on the activities of the European Atomic Energy Community concerning aid to developing countries, OJ, 19.7.1966, p. 2460.

¹¹⁸ Article 79 of the ECSC Treaty.

partly due to the specific focus on an industry, i.e. the coal and steel industry, that did not exist in disadvantaged countries¹¹⁹. The ECSC, however, carried out some actions relating to developing states, particularly in the sector of mineral exploration, accompanied by a reduced level of technical assistance, with the offer of study grants to technicians from the Associated States. This initiative did not prove to be a successful one. The policy and its potential developments were addressed in a report¹²⁰ that did not ignore the prospect of the unification of the executives, at that time the subject of negotiation, and the increased powers that the new executive would have had as compared with the High Authority, at least in the cooperation sphere. However, the report chose to base its conclusions on the legal situation applicable at the time, in which it foresaw the possibility of solutions pointing in the direction of a joint trade policy, particularly with regard to the supply of iron, which would balance the needs for optimum exploitation of European mines and the needs for a preference in the import of iron and manganese from the AASM, taking their interests into account. The European Parliament gave its views on the matter¹²¹, confining itself to expressing the hope that the High Authority would better define its own technical assistance policy in respect of the Associated States and would work to ensure that the Member States coordinated their trade policy in the coal and steel sector.

12. The second Development Fund

The Yaoundé Convention, and more particularly the *Internal Agreement on the financing and administration of Community aid*¹²², allocated an amount of 730 million units of account to the Fund, and laid down how it should be distributed between the Member States. Of this amount, 70 million units were set aside for the OCTs and the French overseas departments. Above and beyond the Fund's resources, the agreement stipulated that the EIB could grant loans amounting to 70 million units of account.

In terms of the procedure for examining applications, the role of the Council disappeared. In the first Fund it had had responsibility for financial aid to the economy, and this consideration was focused within a committee¹²³, made up of representatives of the six Member States and chaired by a representative of the Commission, which continued to administer the Fund and examine applications. The EIB took part in examining the applications and in the work of the committee where its own loans were concerned.

¹¹⁹ It should also be remembered that an agreement annexed to the Yaoundé Convention dealt with the coal and steel sector, confining itself to providing for the removal of customs duties, but leaving the individual Member States completely free as regards their trade policy towards the Associated States in that sector of the economy.

¹²⁰ EP - Committee on Cooperation...- Report on the relations between the European Coal and Steel Community and the Associated African States and Madagascar. Doc. 75/66. Rap: Carcassonne.

¹²¹ EP resolution of 1 July 1966 on the relations between the European Coal and Steel Community and the Associated African States and Madagascar, OJ, 19.7.1966, p. 2452.

¹²² This agreement, like the other 'internal agreements' adopted as a result of the Convention, was approved by the Council of Ministers on 14 May 1963 and signed at the same time as the Yaoundé Convention, on 20 July 1963, by the six Member States. Although it was closely linked to the Convention, it was not an annex to it nor was it an international legal act, but strictly a Community one. From a substantive viewpoint it may be considered as similar to a regulation. It should be noted that it applied also to the non-independent OCTs and the French overseas departments.

¹²³ In the new procedure the Council kept decision-making powers over the projects not approved by the committee by a two-thirds majority and maintained by the Commission without amendments.

A 1968 report¹²⁴, one year prior to the expiry of the fund, provides us with information about it. On 12 January 1968, 239 projects had been submitted to the Committee, of which 219 had been approved unanimously, 11 had been approved by a two-thirds majority and only 7 had been re-examined by the Commission. Five projects were rejected. In 1965 a body governed by Belgian law, the European Cooperation Association, had been set up to pay staff given the task of monitoring and checking projects.

In terms of geography, the Commission, following recommendations by the Council, adopted two separate criteria, either separately or in combination: the first was granting large-scale aid to the countries with more natural resources, with a view to contributing to a swift launch to their economies. The second was a fairer distribution, favouring the less developed countries¹²⁵.

From the point of view of destinations, 43% of aid went to the rural sector, as Parliament had hoped, 30% to infrastructure and 19% to social investments, while aid for the industrial sector was negligible. In this case, too, the Council's recommendations were followed. In line with the wishes of Parliament, these recommendations had given preference to regional and rural development, but only for a transitional period that was intended to consolidate the traditional economy with a view to a further step being taken towards industrialisation. In order to achieve this, however, the Development Fund would have to intervene only marginally, leaving room for actions by the EIB.

In line with the report, the European Parliament¹²⁶ expressed a broadly positive view of the administration of the fund and the financial and technical assistance policies, particularly regarding the emphasis on regional and agricultural development, highlighted vocational training and welcomed the role taken on by the EIB.

¹²⁴ EP - Committee on Relations...- Report on taking stock of financial and technical cooperation within the EEC/AASM Association. Doc. 89/68. Rap: Metzger.

¹²⁵ Annex II to the report, which provides the raw data on aid to the various States and the OCTs, does not show concentrations of aid in favour of one or more States.

¹²⁶ EP resolution of 2 July 1968 on taking stock of financial and technical cooperation within the EEC/AASM Association, OJ C 72, 19.7.1968, p. 23.

CHAPTER III

THE SECOND YAOUNDÉ CONVENTION

1. Renewal of the Convention (Yaoundé II - 29 July 1969)

On the issue of the renewal, the European Parliament issued its opinion nine months later¹²⁷, when negotiations had not yet started, although the term laid down by the Convention in force had already passed¹²⁸. In order to promote trade the resolution called for the system for agricultural products to be made more open and for restrictions on the import of certain tropical products which were still permitted in some Member States to be removed. It also called for an increase in the European Development Fund of at least 200 million units of account per year, as well as greater resources for the EIB for interventions in the associated countries. However, the resolution did not mention the report's concerns¹²⁹ about institutions: the view on the current institutions was broadly positive, but it was said that the members of the Parliamentary Conference could be given the power to put questions to the Association Council.

The Yaoundé II Convention adapted the regulations to progress made on the common market which, as of 1 July 1968 allowed, with certain exceptions, the import of the products of the Associated States into the Community exempt of customs duties. A significant innovation was the possibility expressly granted to the AASM to maintain or create free trade areas or customs union between them or to enter into economic cooperation agreements. With regard to technical and financial cooperation, the ESF was raised to 828 million units of account over five years, added to which was 90 million of EIB loans. Aid was also laid down for a potential collapse in world prices for products which were of particular importance for the economy of the recipient state, taking into account its economic situation¹³⁰.

Following the signature of the Convention, Parliament¹³¹ expressed an overall opinion that was in favour, particularly for the better preferential system granted to agricultural products, but highlighted the persistent worsening of trade terms and called for appropriate measures to protect the exports of the Associated States. The opinion on financial and technical cooperation was more developed. It regretted the fact that the annual amount of the Fund was lower than what had been asked for in the previous year's resolution, and hoped for better coordination of all aid, both bilateral and multilateral, welcoming the new methods for awarding aid that made it possible to take action in a better way and to a higher level in favour of productive investments.

As had already happened for Yaoundé I, the delay in the ratification procedures by the Member States, particularly Italy, where a crisis of government delayed parliamentary

¹²⁷ EP resolution of 2 October 1968 on the renewal of the Yaoundé Convention, OJ C 108, 19.10.1968, p. 28.

¹²⁸ According to Article 60 of the Yaoundé Convention, these should have started by a year before the expiry date, namely by 31 May 1968. The negotiations started on 26 March 1969 and ended on 27 July 1968 with the initialling of the text that was signed two days later.

¹²⁹ EP - Committee on Relations...- Report on the renewal of the Yaoundé Convention. Doc. 137/68. Rap: Thorn.

¹³⁰ EP - Committee on Relations...- Report on the Association Convention between the EEC and the Associated African States and Madagascar (Doc. 132/69). Doc. 176/69. Rap: Achenbach.

¹³¹ EP resolution of 9 December 1969 on the Association Convention between the EEC and the Associated African States and Madagascar, OJ C 2, 8.1.1970, p. 4. This resolution was based on the report cited in the preceding note.

work, was to be the subject of controversy within the committee and of an oral question¹³², which was followed by a resolution. Ratifications had, in any case, been requested already by the resolution on the sixth Parliamentary Conference¹³³.

Two years later Mauritius asked to join the Convention, a request greeted favourably by Parliament¹³⁴. The reference report¹³⁵ provides useful items of information on this step by the Indian Ocean state. The request referred to the offer of association which, within the framework of the negotiations for the accession of the United Kingdom, the Community had made to 20 independent Commonwealth states for a convention to be negotiated following the enlargement of the EEC. Mauritius sought to anticipate the association by joining the existing Convention. The report described the island's poor economic situation and the low level of trade with the EEC, but significant levels with the United Kingdom.

2. The European Parliament and the work of the Parliamentary Conference (1969-1972)

As has been seen, the European Parliament's resolution on the first Parliamentary Conference following the signing of the Convention, which was the sixth overall, held in Hamburg from 10 to 12 January 1970, was devoted to the issue of the ratifications, but the reference report¹³⁶ also dealt with the association's general progress and, for the first time in a number of years, recorded an increase in trade in both directions, although the share of each of the two groups of states in imports by the other was falling, a trend interpreted by the report as a gradual multilateralisation of trade flows.

The following year, the report on the seventh Parliamentary Conference¹³⁷, held in Yaoundé from 11 to 13 January 1971, drew up a positive evaluation of the Convention's activities, although it highlighted some problems: the one which seemed to be of the greatest concern to the Associated States were the generalised preferences which the Community sought to introduce. The associated countries feared being penalised by them and were pressing for regional preferences to be maintained. The report hoped that the EEC would make the two categories of preference fit together. The European Parliament endorsed the observations of its committee¹³⁸.

The European Parliament's documents¹³⁹ on the eighth Parliamentary Conference, in The Hague from 12 to 14 January 1972, showed a change in approach: no longer complaints

¹³² EP Oral question 1/70 with debate: ratification of the new Yaoundé Convention - resolution, sitting of 15 May 1970, in Debates of the European Parliament, OJ 125/70, Annex, p. 168.

¹³³ EP resolution of 12 March 1970 on the results of the Sixth Annual Meeting of the EEC/AASM Parliamentary Conference, OJ C 40, 3.4.1970, p. 33.

¹³⁴ EP resolution of 17 December 1971 on the request for accession by Mauritius to the Yaoundé II Convention, OJ C 2, 11.1972, p. 34.

¹³⁵ EP - Committee on Relations...- Report on the request for accession by Mauritius to the Yaoundé II Convention. Doc. 211/71. Rap: Seefeld.

¹³⁶ EP - Committee on Relations...- Report on the results of the Sixth Annual Meeting of the EEC/AASM Parliamentary Conference. Doc. 2/70. Rap: Armengaud.

¹³⁷ EP - Committee on Relations...- Report on the results of the Seventh Annual Meeting of the EEC/AASM Parliamentary Conference. Doc. 36/71. Rap: Briot.

¹³⁸ EP resolution of 17 May 1971 on the results of the Seventh Annual Meeting of the EEC/AASM Parliamentary Conference, OJ C 55, 3.6.1971, p. 5.

¹³⁹ EP resolution of 17 March 1972 on the results of the Eighth Annual Meeting of the EEC/AASM Parliamentary Conference, OJ C 36, 12.4.1972, p. 42 and EP - Committee on Relations...- Report on the results of the Eighth Annual Meeting of the EEC/AASM Parliamentary Conference. Doc. 274/71. Rap: Dewulf.

or debates over specific aspects of the present, but a broader vision of the Association's future: *the raison d'être for the Association and its cooperation mechanisms should in the future be sought in a package of mutual commitments going beyond the financial aid sphere and tariff preferences alone, so as to create a wide community of interests between the partners on the basis of a development founded upon solidarity.*

This quotation from the Conference's resolution on the future of the Association, included in the European Parliament's resolution, gives a sense of an approach *combining calm and decisiveness*, as the committee's report noted. The report listed the actions deriving from this new approach in the various spheres of the Association. The overall philosophy behind these actions was better economic cooperation, which was expected to lead the Community states to accept changes to their economic structures, not only in the relevant economies, but also to a growing and rapid participation by developing countries in economic progress.

3. The European Parliament and the work of the Parliamentary Conference (1973-1974)

The ninth Conference, held in Kinshasa from 29 to 31 March 1973, featured a higher degree of structure in the issues dealt with, and the presence, in the European delegation, of MEPs from the three new Member States of the Community, which was a tangible element in the changed frame of reference of the association following the first enlargement of the Community:

- *enlargement of the Community, prefiguring the enlargement of the Association itself, in so far as the Commonwealth countries consider it advisable to join the Association Convention;*
- *Conference of the Heads of State and Government of the enlarged Community, which confirmed the continuation of the association policy, retaining its existing achievements and fundamental principles, while extending Community development aid action in line with the growing responsibilities incumbent upon Europe;*
- *the accession of Mauritius which took place under the Port-Louis agreement, on 12 May 1972;*
- *UNCTAD conference in Santiago, Chile, which, in spring 1972, despite the often difficult confrontations between the participating countries, made it possible in practice to reinforce the solidarity between the Member States of the Community and their African associates. In fact, the results of the Conference, which in the eyes of some were too modest, contrasted with the more specific nature of the actions carried out within the framework of the Yaoundé Convention¹⁴⁰.*

¹⁴⁰ EP - Committee on Development...- Report on the outcome of the Ninth Annual Meeting of the Parliamentary Conference of the EEC/AASM Association. Doc. 87/73. Rap: Harmegnies.

This quotation¹⁴¹ from the usual report on the work of the Conference clearly shows not only the new features, but also the feelings they gave rise to: we see, on the one hand, the pride of an Association which had placed itself in the vanguard of cooperation between industrialised countries and developing countries, and on the other hand awareness of the challenges that would result from the potential enlargement of the Association.

During the course of a year which had seen monetary upheavals, an increase in the price of oil, which the Associated States did not produce, and the persistence of the blockade of the Suez Canal, there were trade problems, particularly with regard to decreasing trade between the Associated States, but the most serious fears expressed in the Conference were concerning the generalised preferences extended by the Community, which reduced the special advantages for the Associated States. There was a positive assessment of the activities of the Development Fund and, more generally, financial and technical cooperation, but there was a concern that the existing imbalance between the results of this cooperation and results in the trade sphere would change the Convention into an aid agreement. Particularly significant was the strong demand for a high level of political agreement between the Member States and the Associated States in international forums on development issues.

As usual, the European Parliament associated itself with the conclusions of the Conference, welcomed the Paris Summit decisions on Community development policy, wished to see the trade chapters of the Convention adjusted to meet the needs of the Associated States, and called for consideration of incorporating the Fund into the Community budget. The resolution also launched a debate on the renewal of the convention, stressing its own interest in such a move¹⁴².

The following year, the negotiations on the renewal of the Convention – with the participation of 44 states eligible for association, which were now not only African, but in the main part of the British Commonwealth – had already begun and were at the heart of the Conference. The usual report¹⁴³ expressed satisfaction with the negotiations and repeated the observations that had been made on several occasions on the issue of generalised preferences, but this time the subsequent plenary resolution¹⁴⁴ differed from the previous ones in having content other than that in the Conference's resolutions, whose conclusions it naturally endorsed.

The resolution was based on two levels: the renewal of the Convention and global development policy. On the first subject, it welcomed the fact that negotiations for renewal involved 44 states eligible for association and expressed the hope that the negotiations could be concluded in time for ratification of the new agreement by the end of that year,

¹⁴¹ Missing from the quotation, but mentioned previously in the report, was the creation of the Economic Community of West African States, set up in Bamako in June 1972. In the absence of more accurate historical information and on the basis of what can be deduced from the ECOWAS website, <http://www.comm.ecowas.int>, the organisation began operating in 1975 and originally included 14 states (in 1975): Benin, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo, Upper Volta (now Burkina Faso).

¹⁴² EP resolution of 6 June 1973 on the results of the Ninth Annual Meeting of the Parliamentary Conference of the EEC/AASM Association, in OJ C 49, 28.6.1973, p. 25.

¹⁴³ EP - Committee on Development...- Report on the results of the Tenth Annual Meeting of the Parliamentary Conference of the EEC/AASM Association (Rome, 30 January - 1 February 1974). Doc. 406/73. Rap: Reay.

¹⁴⁴ EP resolution of 15 June 1974 on the results of the Tenth Annual Meeting of the Parliamentary Conference of the EEC/AASM Association, OJ C 40, 8.4.1974, p. 62.

1974. On the second subject, and on the basis of an opinion issued by the Conference, it noted that, because of the global economic crisis, the free trade rules which had until that time governed trade between the industrialised and developing countries were falling short, and called for them to be reorganised on a more balanced, fairer basis. The resolution therefore

10. noted that Europe was not in a position to remedy, by itself, difficulties of these proportions, partly because of the limited options available to it; therefore wished to see put in place wider development aid mechanisms, in which the oil-producing countries with substantial income surpluses would participate

while the Community, it stated, should focus its aid on the most disadvantaged countries and in particular on the 17 Associated States, or states eligible for association, which were among the 25 poorest states in the world^{145 146}.

4. The third Development Fund

The administration of the Fund during the second Yaoundé Convention was the subject of an in-depth report¹⁴⁷ which was not simply an examination of the results and projects in progress, but an attempt to situate the administration of the Fund within the context of the general aims of cooperation, alluding to the debate of the time on the role of multinational companies. The central idea around which the report was built was the ultimate aim of cooperation, which was not at the service of the international role of the associated state, but, according to the report, should involve and share out its benefits to all citizens.

This was not simply a declaration of principles, since this idea was linked to the awareness that the economic development of the Associated States depended to a large measure on the level of revenue deriving from exports and that these should be stabilised in view of the fact that external financial aid was by its nature irregular, produced its own effects over a long period and therefore was not a substitute for export revenue, but could help to develop such revenue.

¹⁴⁵ The 17 states eligible for association were as follows: Botswana, Burundi, Chad, Dahomey, Ethiopia, Guinea, Lesotho, Malawi, Mali, Niger, Rwanda, Somalia, Sudan, Tanzania, Uganda, Upper Volta and Western Samoa. These formed part of a group of 25 countries identified by a United Nations working group, chaired by Jan Tinbergen (Netherlands), on the basis of three criteria: per capita GDP no higher than 100 dollars, industrial production no higher than 10% of GDP, illiteracy rate of at least 80% of the population over 15 years of age. EP - Committee on Development...- Report on the negotiations between the EEC and the ACP countries on the renewal and enlargement of the association. Doc. 388/74. Rap: Flesch.

¹⁴⁶ No paragraph in the resolution of 15 June 1973 expressly calls upon the Commission to promote a political initiative as indicated in the text, but on 20 March 1974 the Commission submitted to the Council a document proposing an international initiative for an Attempt to Neutralise Certain International Price Movements for the Most Affected Developing Countries [SEC (74) 1121 final, but for the purposes of this document, the only consultation carried out was EP - Committee on Development...- Report on an attempt to neutralise certain international price movements for the most affected developing countries. Doc. 177/74. Rap: Sandrij]. The proposal in the main took over the ideas that Parliament had expressed in its resolution of 14 March: an international intervention financed by the industrialised countries and oil-producing countries. The Community would contribute 500 million dollars of the 3 billion dollars that it indicated would be the total requirement, split in half between the industrialised countries and the oil-producing countries. Parliament welcomed the proposal [resolution of 12 July 1974 on the attempt to neutralise certain international price movements for the most affected developing countries, OJ C 93, 7.8.1974, p. 90].

¹⁴⁷ EP - Committee on Development...- Report on the overall result of financial and technical cooperation within the framework of the EEC/AASM Association. Doc. 111/74. Rap: Dewulf.

Within this context, the European Development Fund, which for many Associated States had accounted for 20 or 30% of aid received in total, supplemented the action taken by the associated state, thus promoting the state's responsibility for the management of projects and implementing that *Africanisation* which the report was proud to consider its connecting thread. In terms of destinations, alongside the priority given to infrastructure that had characterised the first Fund, the system brought in by the two Yaoundé Conventions had added the funding of technical aid and a whole series of rural development, training and education actions, which had proven to deliver excellent results in terms of economic development and which should, the report stated, be continued.

Special attention was paid to industrialisation, for which the Yaoundé Convention had made it possible to finance general and specific studies, the second Yaoundé Convention, in particular, granting financial and technical aid to small and medium-sized enterprises, upon which the industrialisation of Africa was to be built. A fundamental role could be carried out by the EIB, which the report also criticised for its traditional approach.

On the basis of the report, Parliament expressed a positive view of the work done by the Fund, alongside the wish that in future efforts would be stepped up to promote a fairer distribution of revenue, and regretting the lack of results achieved in regional cooperation. It indicated that the road to freeing the Associated States from connections that overly emphasised the previous colonial situation lay in good transport planning¹⁴⁸.

¹⁴⁸ EP resolution of 10 June 1974 on the overall result of financial and technical cooperation within the framework of the EEC/AASM Association, OJ C 76, 3.7.1974, p. 7.

CHAPTER IV

THE FIRST AND SECOND LOMÉ CONVENTIONS

1. The European Parliament and the negotiations on the ACP-EEC Convention

The negotiations that officially began in Brussels on 25 July 1973 related not to the renewal of the Yaoundé Convention, nor of the Arusha Convention¹⁴⁹, which both expired on 31 January 1975, but to a broader project also involving all the British Commonwealth states following the United Kingdom's accession to the EEC: in addition to the nine Member States, there were also 44 countries at the negotiating table, now referred to as ACP (Africa, Caribbean and Pacific), of which 19 were already associated within the framework of the Yaoundé Convention and three under the Arusha Convention. The negotiations were held in various forums: a ministerial conference, a plenary committee of ambassadors and plenipotentiaries and groups of experts on industrial cooperation, the stabilisation of proceeds from exports and trade.

Towards the end of the negotiations the European Parliament¹⁵⁰ voiced its satisfaction regarding the Convention being laid down, and stressed its political significance over and above the benefits for the contracting parties, and the contribution that it would make to the development of the disadvantaged countries that were to join. In particular it welcomed, while making some technical observations, the stabilisation mechanism that the Convention would introduce and made specific demands regarding the Development Fund. It did not restrict itself to calling for a substantial increase in the fund, setting out its reference parameters, but also confirmed the request for it to be included in the budget and for the Associated States to play a greater part in its administration. As for the destination of aid, it said that non-repayable aid should be allocated, as a matter of priority, to the most disadvantaged countries and, more generally, that aid from the Fund should be diversified according to the level of development of the recipient countries. The European Parliament also considered those ACP countries which were about to obtain independence: it said that it should be possible for them to accede to the Convention under a simplified procedure.

Finally, as it had done when the previous conventions were concluded, the European Parliament called upon the negotiators to ensure that the new convention was signed before 31 January 1975. The European Parliament's wish was not to be satisfied, *despite the efforts of the negotiators and in particular the Commission, spokesman of the Community*¹⁵¹ to ensure that it entered into force in time, taking into account the time required for ratification, from 1 February 1975, the date of expiry of the conventions in force, even though signature was planned for 30 January. The Commission therefore submitted some transitional measures to avoid any legal gaps between the expiry of the conventions and the entry into force of the convention that was to be called the Lomé Convention.

¹⁴⁹ See Chapter 8.

¹⁵⁰ EP resolution of 10 December 1974 on the negotiations between the EEC and the ACP countries on the renewal and enlargement of the association, OJ C 5, 8.1.1975, p. 24. The reference report is 388/74, cited above.

¹⁵¹ EP - Committee on Development...- Report on the communication from the Commission of the European Communities to the Council (Doc. 433/74) on the transitional measures to be implemented after 31 January 1975 in the context of relations with the countries of Africa, the Caribbean and the Pacific and the overseas countries and territories. Doc. 441/74. Rap: Deschamps.

These were two-stage measures: in the first stage, from 1 February 1975 to a date to be established on the signing of the new convention, the provisions of the conventions then in force would be extended. In the second stage, which would extend from the end of the previous stage until the completion of ratifications, the application of some provisions of the new convention would be brought forward. The European Parliament declared itself in favour¹⁵² of the Commission's proposal, at the same time calling for an agreement that would lay down a further stage: the early application of the trade provisions and preparation for the arrangements required for the fourth ESF, which would not, in any case, be able to enter into force prior to the completion of national ratification procedures.

The 11th Parliamentary Conference of the Yaoundé Convention naturally devoted its work to examining the negotiations, which had been suspended on 15 January, and called for them to be swiftly concluded¹⁵³. The European Parliament¹⁵⁴, when it issued its opinion, noted with satisfaction that the Conference's call had been heeded and that the negotiations had been concluded.



Banner inscribed 'Lomé Convention: a step along the road towards the liberation of the people of Africa, the Caribbean and the Pacific', referring to the Lomé I Convention, February 1975

¹⁵² EP resolution of 17 January 1975 giving the European Parliament's opinion on the communication from the Commission of the European Communities to the Council on the transitional measures to be implemented after 31 January 1975 in the context of relations with the countries of Africa, the Caribbean and the Pacific and the overseas countries and territories, OJ C 32, 11.2.1975, p. 34.

¹⁵³ Declaration on the conclusion of the negotiations being held between the EEC and the ACP countries in EP - Committee on Development...- Report on the results of the 11th Annual Meeting of the Parliamentary Conference of the EEC/AASM Association (Abidjan, 27-29 January 1975). Doc. 498/74. Rap: Sandri.

¹⁵⁴ EP resolution of 20 February 1975 on the results of the 11th Annual Meeting of the Parliamentary Conference of the EEC/AASM Association (Abidjan, 27-29 January 1975), OJ C 60, 13.3.1975, p. 39.

2. The Lomé Convention: extension and innovations

On 28 February 1975 the Convention between European Economic Community and the States of Africa, the Caribbean and the Pacific was signed in the capital of Togo. No longer was this an 'Association', since the term had been rejected by some of the English-speaking African states as an expression of a neo-colonial view, but an agreement taking its name from the two major groups of contracting parties. Its nature was that of a cooperation agreement, the aim of which was *to establish a new model for relations between developed and developing States, compatible with the aspirations of the international community towards a more just and more balanced economic order*¹⁵⁵.

In addition to the Member States and the Commission, it was signed by 46 developing states, two more than the number when negotiations had begun, with a total population of 275 million. In Africa there were the 19 Associated States that had been part of the Yaoundé Convention¹⁵⁶, the three Associated States from the Arusha Convention¹⁵⁷, the nine African Commonwealth states that had not previously been members of other associations with the Community¹⁵⁸ and six states with no links to the Community but with economies comparable to those of the other associated African states¹⁵⁹. Outside of Africa the Associated States all belonged to the Commonwealth: six Caribbean states¹⁶⁰ and three Pacific states¹⁶¹. It was an agreement that mainly covered sub-Saharan Africa, namely south of the Arab states of the Mediterranean coast and up to the central section of the continent, plus a certain coverage of the southern part, which was mainly excluded for various political reasons.

The Convention had a validity period of five years and was open both to new accessions and to withdrawals, with a notice period of six months. Negotiations for its renewal began 18 months prior to its expiry, on 28 February 1980.

Its political ambition was to create a new model for relations between industrialised and developing countries and to that end, as the parliamentary report stresses¹⁶², it was notable for six innovations:

1. *Traditional trade relations which were still current in all international economic relations were modified so as to take into account different levels of development. The opening up of the EEC's markets to products from the ACP States and the access facilities granted by the EEC did not involve any equivalent counterparts for the EEC on the markets of the ACP States. This represented an abandonment of the principle of reciprocity in relations which had been at the basis of the Yaoundé Convention. In addition, the definition of 'origin' for ACP products tended to encourage the processing of raw materials in their*

¹⁵⁵ Preamble to the ACP-EEC Convention.

¹⁵⁶ Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Léopoldville), Côte d'Ivoire, Dahomey, Gabon, Madagascar, Mali, Mauritania, Mauritius, Niger, Rwanda, Senegal, Somalia, Togo and Upper Volta.

¹⁵⁷ Kenya, Tanzania and Uganda.

¹⁵⁸ Botswana, Gambia, Ghana, Lesotho, Malawi, Nigeria, Sierra Leone, Swaziland and Zambia. The three Associated States from the Arusha Convention belonged to the Commonwealth, as did Mauritius, which had already joined the Yaoundé Convention.

¹⁵⁹ Equatorial Guinea, Ethiopia, Guinea, Guinea Bissau, Liberia and Sudan.

¹⁶⁰ Bahamas, Barbados, Guyana, Granada, Jamaica, Trinidad and Tobago.

¹⁶¹ Fiji, Samoa and Tonga

¹⁶² EP - Committee on Development...- Report on the Lomé Convention signed on 28 February 1975 between the EEC and the States of Africa, the Caribbean and the Pacific (Doc. 212/75). Doc. 283/75. Rap: Flesch.

place of origin and trade between ACP States, by considering all of the ACP States as a single customs territory.

- 2. The contracting parties, 'wishing to safeguard the interests of the ACP States whose economies depend to a considerable extent on the exportation of commodities' agreed that the Community would guarantee more stable export earnings for the main export products of the ACP States, through the creation of a stabilisation system for export earnings (Stabex). The funds set aside for this purpose would make it possible to effect compensatory transfers in the event of prices falling below a reference level.*
- 3. The system for importing sugar from the ACP States was unprecedented, in so far as it involved something close to the indexation of prices to be paid to the ACP States tied to the prices paid to European farmers.*
- 4. The ACP States now participated in the administration and management of the financial aid granted by the EEC.*
- 5. The EEC took into consideration the idea of 'least developed countries' among the ACP States and laid down special measures in favour of the 'least developed, landlocked or island states' appearing in a list (Articles 24 and 48). This idea was incorporated both in the functioning of the stabilisation fund and in the procedures for financial and technical cooperation.*
- 6. The industrial development that had already been laid down in the preceding Yaoundé Convention took on new life thanks to expanded industrial cooperation actions in favour of the ACP States, and was one of the Convention's key objectives.*

3. Stabilisation of export receipts and financial aid

It is worth examining Stabex in more detail, since it is probably the most important innovation of the Lomé Convention and the one most desired by the Associated States which had suffered the most severe consequences of international price upheavals in the first half of the 1970s. It applied to several agricultural products and to iron, but the list could be amended by the Convention's Council of Ministers, one year after the Convention's entry into force, if it seemed that a product not covered by it was of significance for ACP States' exports and was subject to considerable fluctuations.

The system was applied when a product represented a specific percentage, usually 7.5%, but 2.5% for the least developed countries, of earnings from exports to the EEC in the previous year. For each product and each ACP state a reference level was calculated, corresponding to the average of the last four years of exports to the Community. Where during the course of a year earnings from a particular product were less than 7.5%, or 2.5% in the case of the least developed countries, the relevant state was entitled to request a financial transfer, but this did not take place automatically. In fact, the Commission, in conjunction with the applicant state, assessed whether the fall in earnings was the result of a trade policy of the said state. In such a case, the request was not admissible, while if the fall in earnings was part of a general drop in exports, it was necessary to assess the effect of this on the amount of the transfer.

The Stabex Fund was allocated 375 million units of account (UA) divided into equal instalments for each of the five years for which the Convention was in force, while the ESF was allocated, for the same period, 3.15 billion UA, and in addition the EIB was allocated 400 million UA in loans. This totalled 3.55 billion UA of financial aid, of which 3.39 billion UA was for the ACP States and 160 million UA for the OCTs and overseas departments.



Dublin, meeting of the ACP-EEC Joint Committee, May 1975

4. The institutions of the Lomé Convention

In comparison with the Yaoundé Convention, the Convention's institutional framework had been simplified, with provision made for only two institutions: the Council of Ministers, assisted by the Committee of Ambassadors, and the Consultative Assembly. No provision was made for the Arbitration Court, which had never had cause to meet under the Yaoundé Convention. Its functions were partially taken on by the Council of Ministers.

The Council of Ministers was made up, for Europe, of members of the EEC's Council of Ministers and Commission and, for the ACP States, of one member of the government of each associated state. The office of President was held alternately by a member of each of the two parties. It met once a year as well as whenever necessary. It had a function of defining broad guidelines, took the decisions specifically laid down by the Convention

and, in particular, settled disputes on the interpretation of the Convention. Where it did not manage to find a solution, provision was made for a good offices or arbitration procedure.

The Committee of Ambassadors was made up of one representative of each Member State, one representative of the Commission and one representative of each associated state. It assisted the Council of Ministers in the performance of its functions and monitored the progress of the Convention and the attainment of the general objectives set by the Council.

The Consultative Assembly was made up, on the basis of parity, of Members of the European Parliament, on the one hand, and of delegates of the ACP States, on the other. This meant that the representatives of the ACP States were not necessarily parliamentary members, and in fact in many cases were not¹⁶³. It met once a year, examined the Council of Ministers' general report, was able to adopt resolutions and to set up ad hoc committees.

5. The European Parliament's position on the Lomé Convention

The European Parliament¹⁶⁴ was fully aware of the historic importance of an agreement that had been strongly supported by it, welcomed the innovations that it introduced and expressed specific positive assessments of each of them.

With regard to industrial cooperation, it hoped for the creation, alongside the Convention, of a system to guarantee private Community investments in the Associated States. Regarding the Development Fund, which on the whole it welcomed, its only complaint was that it had not been incorporated into the Community budget, as it had requested. As in all the resolutions on this subject, it called on the Member States to ratify the Convention as swiftly as possible so as to allow it to enter into full force as of 1 January 1976.

The European Parliament issued a favourable opinion, stressing that the safeguard measures laid down by Article 10 of the Convention¹⁶⁵ should be taken only in extreme cases and in such a way as to limit, so far as possible, disturbances involving trade between the Community and the Associated States, and also welcomed a draft regulation¹⁶⁶.

¹⁶³ A 1980 report on this subject stated: Whereas Europe only delegated Members of Parliament to this Assembly, the ACP group was primarily made up of ambassadors or government envoys, in the absence of a freely elected parliament in many states. This fact was regrettable, but the principle of non-interference in the internal affairs of the ACP States left the Europeans little room to act on this point. EP - Committee on Development...- Report on (I) a recommendation by the Commission of the European Communities to the Council (Doc. 1-97/80) for a regulation to conclude the second ACP-EEC Lomé Convention; (II) a proposal by the Commission of the European Communities to the Council (Doc. 1-700/80) for a decision regarding the association of the overseas countries and territories and the EEC. Doc. 1-559/80, p. 60. Rap: K. Wawrzik.

¹⁶⁴ EP resolution of 16 October 1975 on the Lomé Convention signed on 28 February 1975 between the EEC and the States of Africa, the Caribbean and the Pacific, OJ C 257, 10.11.1975, p. 23.

¹⁶⁵ This article stipulates that if the application of the provisions on trade arrangements leads to serious disturbances in an economic sector of the EEC or of one or more of its Member States, jeopardises their external financial stability or causes deterioration in a sector of the economy of a region of the members, the Community may take, or authorise the Member States concerned to take, safeguard measures, which should not exceed the scope of what is strictly necessary in order to remedy the difficulties that have arisen.

¹⁶⁶ EP resolution of 16 October 1975 on the Proposal from the Commission of the European Communities to the Council (Doc. 181/75) for a regulation on the safeguard measures laid down by the Lomé Convention signed on 28 February 1975, OJ C 257, 10.11.1975, p. 26, following on from the EP - Committee on Development...- Report on the same subject. Doc. 284/75. Rap: Flesch.

6. A few years of silence on the ACP-EEC Convention

After the resolution of 16 October 1975 on the first Lomé Convention, Parliament did not concern itself further with it. Its delegations participated regularly in the work of the Consultative Assembly, but no report was produced as a result. Attention to the work of the Convention's parliamentary body resumed in 1980 and the first report on the outcome of a session of the Joint Committee¹⁶⁷ stressed the importance of the return to former parliamentary customs, pointing to the risks of disengagement between the European Parliament and the Consultative Assembly as had been seen in the preceding years.

This was all the more serious in that the adoption of contradictory positions could lead the ACP members to believe that the commitments of their European colleagues within the Consultative Assembly and the Joint Committee were purely based on the current situation. At that stage, we would face a total loss of credibility for the European members...

...another problem that arose was the monitoring of the work of the Consultative Assembly internally within the Community, where the European Parliament had an essential role of promotion and scrutiny to carry out. When the Consultative Assembly or the Joint Committee, in resolutions or declarations, called on the Community to act in a particular way, it would be dangerous for these demands to remain there, without the European Parliament, having examined them, intervening in turn...



European food aid to the people of the Sahel. Aid for the victims of the Sahel drought was the first project in a developing country financed by the Communities.

The report focused on the issue of Parliament's role with regard to the Consultative Assembly, and in its conclusions proposed that the positions of the Convention's parliamentary body be examined by the European Parliament's committees *in order to establish how far they could not only approve them, but also provide their active support to them.*

¹⁶⁷ EP - Committee on Development and Cooperation - Report on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly. Doc. 1-522/80. Rap: V. Sable. The report deals with the proceedings of the Joint Committee in Arusha from 25 to 28 February and in Luxembourg from 22 to 24 September 1980; it also covers the resolutions of the Consultative Assembly from 25 and 26 September 1980.

This was a new development as compared with the previous practice, which entrusted the task of supporting the Consultative Assembly's positions to the plenary's resolutions. The resolution adopting the report did not go into the merits of the subjects developed within it, but mandated the permanent committees to examine them¹⁶⁸.

7. Towards the second Lomé Convention

With a view to the renewal of the Convention, the European Parliament gave its view¹⁶⁹ with global emphases that foreshadowed the reports of the 1980s on North-South relations. In particular, it seemed to move away from the traditional formulation of the conventions with the ACP countries, which conceived of them as tools for cooperation with developing countries historically linked to one of the Member States, instead calling for well-disposed consideration of the accession requests submitted by the poorest countries in the world.

A defining point in the resolution was the request that scrutiny of the application of certain ILO conventions, which were carried out by that organisation on behalf of the Community, should be extended to the conventions on the rights of working mothers. The scope of this request should be assessed in the light of the accompanying report which, having made mention of the hypothesis that the true aim was to protect employment in Europe, saw in it a way of preventing protectionist drives similar to those from the US world of employment.

Also, the request for respect for human rights to be incorporated in the Convention moved away from other similar positions and in this case too the report provided an interpretation for certain unfamiliar aspects. The resolution called for condemnation, mainly sanctions, in three specific cases of human rights violations: persecution of political opponents, torture and lengthy detention without trial. The report stressed the economic nature of the Convention and said it was therefore not the appropriate place to force the ACP countries to adopt specific political and moral ideas, and specified that therefore the reference to three specific cases was intended to rule out action in other cases. The resolution called for a penalty procedure governed by the Convention, under which the sovereignty of the ACP States would be maintained.

The resolution also called for the Convention to be entered into for a period of more than the five years set in previous conventions, and repeated requests that had become habitual during the negotiations: larger allocations for the Development Fund and for it to be incorporated in the Community budget, the strengthening of regional cooperation, more attention to the poorest countries and, within states, to the most needy sections of the population.

¹⁶⁸ EP resolution of 21 November 1980 on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly, OJ C 327, 15.12.1980, p. 79.

¹⁶⁹ EP resolution of 14 December 1978 on the negotiations for the renewal of the Lomé Convention, OJ C 6, 8.1.1979, p. 56, following on from the report by the Committee on Development... with the same title. Doc. 487/78. Rap: Broeks.

8. The second Lomé Convention

The second Lomé Convention was signed on 31 October 1979, when Parliament, now elected by universal suffrage, had only just begun its term of office. It had the same structure as the previous convention, both with regard to its institutions and with regard to cooperation policies, but there were some important new developments, highlighted by the report on the subject, which was at the same time a political stock-taking of the first Lomé Convention¹⁷⁰.

As far as the institutions were concerned, the Assembly's jurisdiction was expanded and express provision was made for the Joint Committee. The already established practice of the Assembly of consulting economic and professional worlds was also expressly provided for.

With regard to trade cooperation, the opening up of the European market was nearly complete, covering 99.5% of products. In a unilateral statement¹⁷¹, the Community agreed to discuss jointly with the ACP States the appropriate actions to safeguard their interests, when the ACP States pointed out specific cases of loss of or reduction in their benefits on Community markets resulting from measures to liberalise trade, as might be the case for the generalised tariff preferences, which the ACP States had already deplored.

Stabex was improved, but to a lesser extent than had been requested by the ACP States, and extended to new agricultural products, which in the new Convention numbered 44, 10 more than the number eligible at the end of the previous convention. Resources were also increased by 45%. Lomé II established Sysmin, a guarantee system, similar to Stabex, covering seven mining products, with scope for expansion.

The allocations for financial and technical cooperation, which within the framework of the first Lomé Convention had amounted to 3.466 billion units of account, were increased by the new Convention to 5.607 billion, as against the 10 billion requested by the ACP countries in view of the increase in prices and the devaluation of currencies during the fourth ESF. The amount that was in the end allocated represented, nonetheless, an increase of 62% over the amount in the first Convention and resulted from an increase of 48% in the ESF and 126% in the financial assistance of the EIB. The report by the Committee on Development said it would have preferred a larger increase in the ESF because of the difficulties in accessing credit for the least developed countries. The report also regretted the fact that the new Convention had not accepted the proposal, put forward on several occasions by Parliament, of incorporating the ESF into the Community budget.

The report by the Committee on Development expressed confusion regarding the many new developments in the industrial cooperation sphere, which it classified among those in the first Convention that it had criticised: there were many of them, they primarily related to the energy sector, but they would have effects over the long term. However, public aid for industrialisation was not sufficient to attain the pre-defined objectives and

¹⁷⁰ EP - Committee on Development and Cooperation - Report on (I) a recommendation from the Commission of the European Communities to the Council (Doc. 1-97/80) for a regulation on the conclusion of the second ACP-EEC Convention of Lomé; (II) a proposal from the Commission of the European Communities to the Council (Doc. 1-700/80) for a decision on the Association of the overseas countries and territories with the European Economic Community. Doc. 1-559/80. Rap: K. Wawrzik.

¹⁷¹ Community declaration on trade liberalisation, Annex XXV to the Final Act.

it was therefore necessary to attract private capital, which had not always found a warm reception in the ACP countries, which had frequently avoided the obligation to create it. The second Lomé Convention tackled the situation by laying down guarantees for private investors. The joint declaration in Annex IX to the Final Act is relevant: this was, in the main, a most favoured nation clause, on the basis of which the preferential treatment laid down by a bilateral agreement governing the investments of a Member State in an ACP state was extended to all investments from Community countries. According to the report, this was a step forward which, however, did not free private investments from the uncertainty of nationalisations, which were always possible under laws which were not international.

Specific provisions were introduced for agricultural cooperation, while with regard to fisheries Lomé II adapted itself to the new circumstances of the Community, which had been allocated responsibility for this area, which had previously been a matter for the Member States. Specifically, the general framework was laid down for possible fisheries agreements between the Community and individual ACP States.

Special favourable measures were also laid down for the least developed countries; there were 34 of these among the ACP States, with 137 million inhabitants, accounting for 42% of the total population of the ACP States. These were measures relating to almost all the interventions.

9. The European Parliament's position on the second Lomé Convention

The European Parliament gave its views on the new agreement in a weighty resolution¹⁷² which approved it, considering it to be a document of vast scope between equals, the implementation of which would, however, require understanding and support from the public, particularly in the economic and social spheres. In order to obtain these, it would be necessary for the Community institutions to carry out an awareness-raising campaign.

The broadly positive assessment did not mean there were no references to various problems. With regard to trade cooperation, the European Parliament focused its attention on the agricultural sector and stressed the aim of incentivising processing of commodities in the ACP countries themselves, thus promoting the development of their agri-foodstuffs industry. Therefore, in addition to a few specific problems such as those relating to sugar, it raised the fundamental issue of non-tariff barriers to the import of tropical products, and to that end drew up a detailed list of requests relating to the agricultural sector: accepting an international division of labour that would take into account the natural advantages of the ACP countries in agriculture, repositioning the common agricultural policy in such a way as to govern the amounts produced and prevent instruments harmful to the economies of the ACP States, facilitating imports from the ACP States in such a way as to encourage their agri-foodstuffs industry.

¹⁷² EP resolution of 21 November 1980 embodying the opinion of the European Parliament on (I) a recommendation from the Commission of the European Communities to the Council (Doc. 1-97/80) for a regulation on the conclusion of the second ACP-EEC Convention of Lomé; (II) a proposal from the Commission of the European Communities to the Council (Doc. 1-700/80) for a decision on the Association of the overseas countries and territories with the European Economic Community; OJ C 327; 15.12.1980, p. 69.

Within this framework, the European Parliament was concerned about the competition that the agricultural products of the ACP countries would be subject to as a result of the next enlargement of the Community in the direction of the Mediterranean¹⁷³, and called for the requisite measure to be adopted as soon as possible.

The aim of the development of the agri-foodstuffs industry of the ACP countries was also obvious in the comments on Stabex, which was to be extended to cover a higher number of processed products, coordinated with the Development Fund and improved in terms of payments.

With regard to financial and technical cooperation, the increase made to the Development Fund by the second Lomé Convention was significant, although still less than what was needed, and this was particularly the case since the majority of the Member States allocated less than 0.7% of their domestic product to development and the economic situations of the ACP States was in marked decline, so much so as to merit cancellation of their external debts. On a more operational level, the European Parliament called for the ACP States to clearly define their priorities and for the Commission to pay more attention to the implementation phase of projects.

However, the view taken of industrial cooperation was negative. The results in this sphere achieved by Lomé II were considered to be unsatisfactory. The resolution stated that this area of cooperation could derive benefit from various initiatives and guidelines, the most significant and specific of which was greater access by the ACP States to the financial possibilities deriving from oil products. Even the private investments system, which had progressed as compared with the previous Convention, did not seem satisfactory, as there was no system for incentivising private investment. Sysmin was welcomed.

Special attention was paid to the least developed countries, and the specific provisions in the Convention directed towards them were welcomed, but the resolution called on the Commission to increase its commitment, including outside the bounds of the Convention, indicating that the distribution of food aid and rural development were priority areas for intervention.

The resolution devoted a lot of space to the failure to include in the Convention any reference to human dignity or protecting human rights. Alongside this regret, there was satisfaction regarding the Commission's conduct in relation to violations of human rights. The report laid down three principles for aid to countries violating human rights:

- *the Commission should abstain from forms of aid which could be interpreted as support for a government that violated human rights,*
- *in the event of serious violation, aid should be suspended if there were no guarantees that it would reach the social groups it was intended for,*
- *the Commission should avoid, as far as possible, carrying out its own actions in cooperation with governments that violated human rights, and should as far as possible implement them through non-governmental organisations.*

¹⁷³ On 1 January 1981, just over a month after the resolution referred to in the text, Greece joined the Community. At the time, negotiations were in progress regarding the accession of Greece, Spain and Portugal. Spain and Portugal joined on 1 January 1986.

On 4 November 1980 the agreement for the accession of Zimbabwe was signed¹⁷⁴ with a transitional system pending ratifications. The agreement extended the Convention to cover the new acceding state, increasing the Development Fund by 85 million units of account, and contained certain specific provisions on beef and veal, sugar and tobacco, to take into account the country's specific products and the impact that their export to the Community under the terms and conditions laid down by the Lomé Convention would have¹⁷⁵. The European Parliament, expressing its opinion in favour, hoped soon to see



Togolese attendants wearing skirts bearing the text 'CEE-ACP convention de Lomé II, 1979'

¹⁷⁴ This southern African country had been a British colony with the name Southern Rhodesia, and in 1965 it had unilaterally proclaimed its independence under the minority white government, not recognised by the international community. A long period of economic sanctions followed, imposed by the UN, and internal conflicts, which in 1979 led, with British mediation, to the black majority taking power. After the February 1980 elections, the country took on its current name. On this point, it should be remembered that the European Community had observed the UN economic sanctions and had lifted them quickly immediately after the return of legitimacy in Rhodesia, which at that time had been equated to the OCTs for the purposes of trade with the Community. EP resolution of 18 January 1980 embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a regulation on trade arrangements between Southern Rhodesia and the European Economic Community, OJ C 34, 11.2.1980, p. 110, following on from EP - Committee on Development - Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-658/79) for a regulation on trade arrangements between Southern Rhodesia and the European Economic Community. Doc. 1-673/79. Rap: M. Poniatoski.

¹⁷⁵ EP - Committee on Development - Report on the recommendation from the Commission of the European Communities to the Council for a regulation concerning the conclusion of the agreement on the accession of the Republic of Zimbabwe to the second ACP-EEC Convention of Lomé (Doc. 1-710/80) and on the recommendation from the Commission of the European Communities to the Council for a regulation concluding the interim agreement between the European Economic Community and the Republic of Zimbabwe. Doc. 1-834/80. Rap: M. Poniatoski.

Zimbabwe participating in the 'sugar' protocol of the ACP States¹⁷⁶. On 18 March 1981 the Republic of Vanuatu also joined the Convention¹⁷⁷.

10. The European Parliament and the Consultative Assembly (1981-1985)

Following the report on the meetings of the parliamentary bodies of the Lomé Convention in 1980, the Committee on Development kept the Assembly informed on an annual basis of the outcome of these meetings in subsequent years, which took place under the second Convention, and the resolutions Parliament adopted on them went to the heart of the issues, unlike in 1980.

The report on the 1981 meetings¹⁷⁸ reiterated the concerns expressed in previous reports about a split between the positions of the Consultative Assembly and the European Parliament, and the consequent loss of credibility of the European Parliament delegates, but it did not mention incidents in the most recent year and therefore seemed merely to be referring to something that was no longer a problem. The description of the various reports and resolutions discussed during the Consultative Assembly on 28-30 September 1980 in Luxembourg, the Joint Committee meeting on 23-26 February 1981 in Freetown, and the next Consultative Assembly on 28-30 September in Luxembourg is, however, precise and to the point¹⁷⁹. The European Parliament expressed its support for the positions of the Consultative Assembly though with different levels of intensity, sometimes discussing them in detail but at other times restricting itself to general approval. One of issues it discussed in detail was the invitation to consultations on the accession negotiations for Portugal and Spain, in particular '*...calls for an adequate allocation of financial resources from Stabex and Sysmin, pays special attention to the demands of ACP countries concerning the sugar problem...*'¹⁸⁰.

The matters considered by the parliamentary bodies of the Convention in 1981 came up again the next year in the Joint Committee meetings held in Harare from 1-4 February 1982 and the Consultative Assembly meetings held in Rome from 3 to 5 November. But the report by the Committee on Development¹⁸¹ mainly picks up on a political phenomenon of particular importance: the gradual increase in the number of parliamentarians in the

¹⁷⁶ EP resolution of 12 March 1981 embodying the opinion of the European Parliament on the recommendation of the Commission of the European Communities to the Council...[same title as the report, Doc. 1-834/80, mentioned above], OJ C 77, 6.4.1981, p. 50.

¹⁷⁷ This accession was on the basis of the simplified procedure, laid down by Article 185 of the Convention for OCTs acceding on independence. The procedure made provision for a request by the country concerned and the approval of the ACP-EEC Council of Ministers, without the need for signatures and ratifications by the other member states. Information on the accession of Vanuatu was published in OJ L 102, 14.4.1981, p. 12.

¹⁷⁸ EP - Committee on Development - Report on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly in 1981. Doc. 1-824/81. Rap: J.-J. Clément.

¹⁷⁹ The work of the two bodies covered all areas of the Convention, and brought up again the age-old complaints about the generalised tariff preferences, plus the dissatisfaction with Stabex and Sysmin and concerns about the impact on their agricultural exports of the enlargement to Greece and about the negotiations under way with Spain and Portugal. Particular attention was given to the problems of cane sugar, for the which the relevant protocol of the Convention guaranteed its import into the Community at a guaranteed price without the safeguard clause. The concerns of the ACP countries were expressed in a Consultative Assembly resolution and at a special meeting about sugar held on the margins of the Consultative Assembly between representatives of the Committee on Development and the ACP Subcommittee on Sugar, which concluded with the Chair of the European Parliament committee, Michel Poniatowski, agreeing to launch a dialogue between the two bodies.

¹⁸⁰ EP resolution of 16 December 1981 on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly in 1981, OJ C 11, 18.1.1982, p. 44.

¹⁸¹ EP - Committee on Development - Report on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly. Doc. 1-975/82. Rap: M. Cassanmagnago Ceretti.

delegations of ACP countries to the Consultative Assembly, a positive development that was accompanied by greater democratic control for the Consultative Assembly over the functioning of the Convention.

Regarding the specific problems, the report emphasised in particular the Consultative Assembly's resolution on world hunger, a problem that was worsening in many ACP countries and that had to be solved as part of a new economic world order. The stalemate in the negotiations on this issue should not be allowed to block a series of Community and international initiatives. The report also paid a great deal of attention to the resolution on Southern Africa, i.e. once the Rhodesian question had been resolved, on apartheid in South Africa and the independence of Namibia. Large chunks of this resolution, calling for scrupulous observance of the UN embargo against South Africa and the reduction of economic contacts with that country, were quoted without particular comment.

The European Parliament returned to its practice of 1980, and in its resolution¹⁸² did not give any opinion on individual Consultative Assembly documents but invited its committees to look at them.

The following year the Joint Committee meetings took place from 21 to 25 February in Kingston and from 19 to 21 September in Berlin, where the Consultative Assembly session was subsequently held. According to the definition given in the report by the Committee on Development¹⁸³, this work represented a crucial turning point for the ACP-EEC parliamentary institutions because of the radical change in the way relations between the ACP countries and the Community were seen. In the text accompanying a Commission document¹⁸⁴ the two sides of the Consultative Assembly agreed that the purpose of aid and cooperation was mainly to help the ACP countries and make them more self-sufficient.

The Joint Committee and the Consultative Assembly in 1983 recorded significant progress in the dialogue on human rights that the European Parliament had vigorously called for, whereas the ACP countries preferred to tackle the issue within their specific organisations. In Kingston, the ACP Co-Chair of the Joint Committee made a declaration expressing a commitment to discuss the matter within the OAU and ECOWAS and a resolution, subsequently also approved by the Consultative Assembly, hoped for the launch of a dialogue on the matter, though with two caveats: it should be separate from the economic negotiations and the nature of a regime should not be taken into account in these negotiations. In its resolution,¹⁸⁵ the European Parliament not only invited its committees to take account of the Consultative Assembly resolution, but also expressed satisfaction with the cooperation begun between the two sides on the issues of Southern Africa and human rights.

¹⁸² EP resolution of 9 February 1982 on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly, OJ C 68, 14.3.1983, p. 35.

¹⁸³ EP - Committee on Development - Report on the outcome of the work of the ACP-EEC Joint Committee and Consultative Assembly. Doc. 1-1143/83. Rap: G. Israel.

¹⁸⁴ Memorandum on the European Community's Development Policy by Commissioner Pisani. Document not otherwise identified in the report.

¹⁸⁵ EP resolution of 19 January 1984 on the outcome of the work of the ACP-EEC Joint Committee and Consultative Assembly, OJ C 46, 20.2.1984, p. 98.

In the last resolution on the proceedings of the parliamentary bodies of Lomé II,¹⁸⁶ Southern Africa is the central issue of the document, and three points in particular: the support given to a peaceful solution to the problems of South Africa through dialogue between the various political forces, open criticism of the rejection by the ACP-EEC Bureau of a hearing in the next session of the Consultative Assembly, which would have provided an opportunity for a direct confrontation between the parties in question, and the invitation to the Member States and Community institutions to apply sanctions against South Africa unless it presented a plan to end apartheid by the next session of the Consultative Assembly.



ACP-EEC Consultative Assembly: Simone Veil, President of the European Parliament, giving a speech, Luxembourg, 10 October 1979

11. ACP-EEC cultural cooperation

This topic is drawn to our attention by a resolution of the Consultative Assembly held in Luxembourg on 28-30 September 1981, which hoped that it would be strengthened and proposed various measures including the setting up of a foundation to disseminate the culture of the ACP countries in Europe, a census of cultural heritage originating from ACP countries in the collections of European museums¹⁸⁷, and the development of

¹⁸⁶ EP resolution of 17 January 1986 on the results of the work of the Joint Committee and the ACP-EEC Joint Assembly, OJ C 36, 17.2.1986, p. 218 following on from the Committee on Development's motion for a resolution. Doc. 192/85 (explanatory statement presented orally). Rap: Wawrzik. We will look at the documents on the proceedings of the ACP-EEC parliamentary bodies from 1984, mainly focusing on the third convention, in section 8 of this chapter.

¹⁸⁷ In the same context, the report highlights a quote in the Consultative Assembly resolution from the UN and UNESCO resolutions on the return of cultural property to its countries of origin.

tourism in the ACP countries inspired by the desire to understand other peoples. The European Parliament had already given its general approval to this position¹⁸⁸ though without comment. It was only later that the Committee on Development presented a specific report on the issue¹⁸⁹, which stemmed from the Consultative Assembly resolution.

The Committee on Development considered cultural cooperation an essential part of any development policy to make it less unilateral: *...what our cultural relations lack most of all is a sufficiently broad understanding of other cultures, the premise of an authentic relationship of association.* In development projects it was necessary to take account not only of the cost/benefit ratio but also of the creation of a socio-cultural basis for development, and the report examined the actions that could be taken to achieve this, particularly in the fields of education and information, and also mentioned the issue of returning cultural property. The Committee on Development focused its attention not so much on specific actions as on the institutions' approach to cultural cooperation, which is clearly explained in the resolution eventually approved by Parliament¹⁹⁰, which, having identified the lack of provisions concerning cultural cooperation in the Lomé Convention,

asks that particular importance is given, without delay, to cultural factors when Lomé II is implemented, particularly in the areas of education, research, training, and access to science and technology; believes that account should be taken of socio-cultural aspects of the African, Caribbean and Pacific states in the current and future implementation of European Development Fund projects...

With the prospect of renewal of the Convention, the resolution asked for cultural cooperation to be included in the preamble and regulated by a special chapter, and for specific references to be made to it in the other areas of cooperation.

12. Towards the third Lomé Convention

The resolution on cultural policy came two months before the more general resolution on the renewal of the Convention, the outcome of work by the Committee on Development¹⁹¹ over a long period. Combating hunger and poverty was considered to be the fundamental objective of the new Convention, to be pursued through the achievement of a *greater degree of autonomy* by the ACP countries; to meet this objective local human and material resources would have to be mobilised. Operationally, food self-sufficiency, whether national or regional, was to be pursued through the integrated development of rural areas, and within them of food crops. Food aid, which was still necessary, should not be used to dispose of Community agricultural surpluses, which could alter eating habits in

¹⁸⁸ EP resolution of 16 December 1981 on the outcome of the proceedings... Op. cit.

¹⁸⁹ EP - Committee on Development - Report on cultural cooperation between the ACP States and the EEC. Doc. 1-453/83. Rap: A. Narducci.

¹⁹⁰ EP resolution of 8 January 1983 on cultural cooperation between the ACP States and the EEC, OJ C 242, 12.9.1983, p. 118.

¹⁹¹ EP resolution of 16 September 1983 on the context of the future ACP-EEC Convention to follow Lomé II, OJ C 277, 17.10.1983, p. 146. This followed the Committee on Development's motion for a resolution with the same title. Rap: Irmer. Doc. 605/83. There is no explanatory statement with this, though the rapporteur delivered one to the Chamber in the 15 September 1983 sitting. EP Verbatim report of proceedings, 12 to 16 September 1983 - 15 September sitting, OJ, Annex 1-303, p. 247. To draft the motion, the committee had set up a special working group, the minutes of which do not seem to have been kept in the European Parliament's archives, if indeed they were ever written. The group started work in November 1982 and finished in June of the following year.

the destination countries, but should consist of products more suited to local needs and eating habits.

The second priority, trade, was closely linked to greater autonomy for the ACP countries, and its importance was underlined by the rapporteur in his presentation of the resolution to the chamber:

We all know that the wealth of the industrialised countries in the Northern hemisphere cannot be maintained or increased in the long term, if the South continues to languish in poverty and hardship. If we do not manage to establish a permanent flow of trade between North and South, in both directions, and to make these countries strong economic partners, if we leave them to subside into poverty, we run the serious risk of being dragged down ourselves and of no longer being able to maintain our standard of living¹⁹²

The achievement of this priority was analysed in one of the longest and most detailed chapters of the resolution, *Trade and Markets*, the basic principle of which was to guarantee to take the largest possible share of finished products, or products at an advanced stage of processing, from the ACP countries out of all their exports. In view of this, the resolution called for free access to the Community for ACP products.

The importance given to finished products did not sideline the issue of raw materials, for which the level of prices was vital. To defend it, the Community had to do its utmost at all levels in the conclusion of new agreements on raw materials. The demand for free access to the European market, particularly as regards agricultural products, for which Stabex was to be strengthened and reformed, was reiterated specifically with the request that it would also be opened to ACP products likely to compete with Community products. The resolution paid particular attention to the problems of the 'Sugar Protocol'.

A third priority was the inclusion in the new Convention of the question of human rights, though the resolution did not dwell on this. In his speech to the chamber, Irmer linked defending human rights to the fight against hunger, poverty and disease.

In addition to these three priorities, the resolution tackled other problems: energy, which was to be dealt with specifically in the Convention; training and research in science and technology, which were essential to development; and maritime transport, where the Convention was to provide for the elimination of questionable practices by shipping lines that did not meet international regulations on safety and working conditions at sea. A certain amount of emphasis was placed on the issue of the environment. The Convention was to provide for specific measures on the environment and their inclusion in development projects.

As far as institutions were concerned, the resolution called for the two parliamentary bodies, the Consultative Assembly and the Joint Committee, to be united and for the new body to have budgetary autonomy.

Finally, as regards the crucial point of financial and technical cooperation, it asked that aid should no longer be for projects, but for programmes that related to strategies, and

¹⁹² EP Verbatim Report of Proceedings... 15 September sitting... Op. cit., p.247.

that a policy dialogue between the beneficiary countries and the Community should be set up to produce a more detailed analysis of the situation in the destination country. An increase in appropriations, greater use of private capital, and the inclusion of the European Development Fund in the Community's general budget were also demanded.



Group of dignitaries at a reception hosted by the two Co-Presidents of the Consultative Assembly. They include Simone Veil (first row, second from left), Prince (now Grand Duke) Henri (first row, centre) and Akere Muna (first row, second from right).

CHAPTER V

THE THIRD LOMÉ CONVENTION

1. The third Lomé Convention

The negotiations for the third ACP-EEC Convention began on 6 October 1983 and continued throughout the next year, concluding with the signature of the Convention on 8 December 1984. The Convention did not enter into force until May 1986, when the quorum of ratifications provided for in the Convention itself was achieved¹⁹³.

One particularly important institutional innovation introduced by the Convention, in line with previous votes by Parliament, was the abolition of the Joint Committee which, with the increase in the number of ACP States, had grown too big and tended to supplant the Consultative Assembly. The Consultative Assembly, which in the new Convention was renamed the *Joint Assembly*, had 132 members once the rules of procedure had been modified (one for each ACP State and 66 for the European Parliament) and, with the establishment of the Office of the Presidency, assumed more distinctly parliamentary characteristics. The Convention did not accommodate Parliament's wish for budgetary autonomy for the Joint Assembly.

However, institutional reform did not compensate for a number of problems left unresolved by the Convention, which during the course of the negotiations had already come up against one of the biggest difficulties: the financing of the European Development Fund. In its resolution on the subject, the ACP-EEC Consultative Assembly insisted that aid payments should be 10-20% of the total amount received by the ACP States, and to this end it put forward three methods of finance: objective criteria to work out the amount of aid (devaluation, population growth and environmental degradation), the Member States meeting the target of 0.7% of GDP going to development cooperation, and lastly the launch of Community loans¹⁹⁴. The financing problem was only hinted at in the European Parliament resolution¹⁹⁵, which merely criticised the fact that the Council of Ministers had not adopted its recommendations on the matter; from the background to the resolution it seems that greater attention was paid to the financing of the fight against hunger, which is borne out by the subsequent resolution adopted after the Convention was signed.

In the Consultative Assembly's resolutions, the European Parliament particularly appreciated the progress in the Consultative Assembly's position on human rights, believing that the focus on the person declared by the Consultative Assembly might be reflected in improvements to the Convention.

¹⁹³ Article 286 of the Convention provided for its entry into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of at least two thirds of the ACP States.

¹⁹⁴ EP - Committee on Development - Report on the achievements of the ACP-EEC Joint Committee and Consultative Assembly. Doc. A2-1104/84. Rap: Wurtz.

¹⁹⁵ EP resolution of 12 December 1984 on the achievements of the ACP-EEC Joint Committee and Consultative Assembly, OJ C 12, 14.1.1985, p. 53.

After the Convention was signed, the European Parliament returned to the issue¹⁹⁶, with a critical stance shared by the *Centre for European Policy Studies*:

*Lomé III has maintained and in places marginally improved the status quo which is under threat elsewhere. The fact that it can be described as an achievement is a sober reflection on the deterioration of industrialised countries' attitudes towards Third World problems since the heady days of 1975 when Lomé I was signed*¹⁹⁷.

The European Parliament's opinion was, however, less black-and-white: the report placed the renewal of the Convention in the context of the tragedy of world hunger, on which public opinion was now more focused than on the problems of development. The commitment to fighting world hunger involved a shift of interest from multilateral cooperation (the Lomé Convention) to global cooperation, which was taking place within other international organisations. Evidence of this shift of interest was given by point three of the resolution, which, despite trying to keep the two forms of cooperation together, actually assigned secondary importance to multilateral cooperation, which should not take precedence over the principal effort of global cooperation.

...the Lomé Convention is an essential part of Community development policy, but it requires that sufficient attention is paid to the responsibilities of the Community globally, particularly towards non-associated developing countries, within the wider context of the North-South dialogue and within the framework of relations with international bodies on initiatives such as product agreements, the common Fund, the provision of sufficient resources for the International Fund for Agricultural Development, the generalised system of preferences and the renunciation of protectionism affecting imports from developing countries, without diluting the Community's efforts which would be to the detriment of the Lomé Convention member states.

Within the framework of the fight against hunger, the priority the new Convention gave to agriculture, which the resolution of 16 September 1983 had clearly hoped for, was justified by reaffirming the importance of food self-sufficiency, as distinct from forms of national autarchy. For this reason, the fundamental principle of autonomy in determining food strategies had to be tempered with a dialogue on the destination of Community aid.

On this point (the policy-dialogue), while the resolution merely hoped that food strategies would be adopted in collaboration with the Community, the report tackled critically the terms of a debate that probably took place during the negotiations, on the relationship between the beneficiary States and the Community when defining the development strategies of these States. At the root of the proposal for closer cooperation between the ACP States and the Community there should, according to the report, be an emphasis on the actual or presumed past mistakes of the beneficiary countries. The report distanced itself from this position, both because its focus was on the domestic problems of the beneficiary countries and it underestimated the external problems that governed their

¹⁹⁶ EP resolution of 11 March 1985 on the Conclusion of the third Lomé Convention, OJ C 94, 15.4.1985, p. 20 following on from EP - Committee on Development - Report on the Conclusion of the third Lomé Convention. Doc. A2- 1781/84. Rap: Cohen.

¹⁹⁷ Quotation taken from the Report on the Conclusion... Op. cit.

choices, and because the donor countries had also made mistakes (the report mentioned in particular the so-called ‘cathedrals in the desert’, i.e. large plants with sophisticated technologies created at the *instigation*¹⁹⁸ of the donors that basically failed because they lacked the specialist personnel to make them work properly). The report also questioned the domestic policies of the industrialised countries, but above all the international context in which the renewal of the Lomé Convention took place:

The international context in which the third Lomé Convention was signed is perhaps more significant than everything that happened during and in the context of the Lomé negotiations. There was little or no progress with meeting the old or new objectives of development policy during the years preceding the establishment of the new Convention. Faced with recession, the industrialised world is reluctant to take on new commitments¹⁹⁹; development aid is being cut; the promotion of exports as a secondary objective of development policy has become the rule in most of the industrialised countries; and finally protectionism is gradually increasing²⁰⁰.

On the more specific issue of the content of the Convention, the resolution identified three gaps: the inadequacy of the appropriations, the failure to include the European Development Fund in the general budget, and the maintenance of restrictions on trade in a number of agricultural products. Nevertheless

Parliament welcomes ... the fact that the convention defines and specifies new forms of development cooperation. The extra attention given to rural development and to food strategies also fulfils the wishes it had expressed; the potential for themed action, the sectoral programmes, cultural and social cooperation, environmental protection, financial assistance aimed at maintaining previous investments and the strengthening of cooperation in the fisheries sector are all aspects Parliament recommended and continues to recommend. Obviously the same is true for respect for human rights and for the institutional improvements made to the conventions, two causes Parliament has long championed²⁰¹.

2. The European Parliament and the Joint Assembly (1986-1989)

The two Joint Assembly meetings held in 1986, on 27-30 January in Ezulvini, Swaziland, and 22-26 September in Vouliagmeni, Greece, came during a period of great difficulty: debt, desertification and population growth. Meanwhile, on the international front, there were growing difficulties with the North-South dialogue, and there was no sign of any solution to the South African problem. On these three problems the European

¹⁹⁸ This is the term used in the report.

¹⁹⁹ The report mentions a series of deadlocks in the negotiations and reversals of existing agreements: for products only one agreement was signed, on tropical timber, while the sugar protocol was now no more than an administrative agreement, the multi-fibre agreement was struggling and the generalised system of preferences had not been improved.

²⁰⁰ It should be pointed out that there is no trace of any of these considerations, which were basically critical to the negotiations, in the resolution, and they are only mentioned here because they nevertheless represent a significant part of the report, both conceptually and from the point of view of the amount of space given to them.

²⁰¹ Aforementioned report, p. 6.

Parliament resolution²⁰² simply noted the position of the Joint Assembly²⁰³, focusing mainly on the general guidelines for 2000 approved by the Joint Assembly. The European Parliament supported these objectives, which were wholly in line with the positions it had always taken: to improve living standards and life expectancy by making the best use of human and material resources, paying particular attention to natural resources, both nationally and regionally, and making primary education accessible to all children. From a strictly economic point of view, the general guidelines gave a central position to rural development, an essential tool for food self-sufficiency that, it was emphasised, should not be pursued nationally but regionally; however, general economic development was not overlooked, with an investment policy involving local and foreign capital and an increase in imports. One significant policy orientation in the context of the 1980s was an improvement in international relations to reduce tensions and consequently reduce the number of refugees.

One issue it went into in particular depth was the negative impact of the common agricultural policy and policies of the other industrialised nations in the same sector, which were considered damaging to the ACP countries, particularly in the sugar market. In particular it asked the Community to review its own agricultural policy and stop exports directly or indirectly linked to subsidised products.

The resolution also condemned South Africa for its aggression towards its neighbours, for the illegal occupation of Namibia and for apartheid, and it supported the Joint Assembly's request for an appropriation for the so-called 'front line' states. As far as the other crises affecting Africa during those years were concerned, it called for humanitarian aid for the refugees from the Western Sahara, supported every initiative by the ACP-EEC Council for a lasting peace in Chad, and called for Libya to abide by the agreement on the simultaneous withdrawal of troops.

The two Joint Assembly meetings in 1987, on 5 February in Arusha and on 1 October in Lisbon, once again took place during a very difficult period for the Third World countries troubled by serious debt, which for the 66 ACP countries now stood at 58% of their GDP (1985 data), i.e. about USD 87 billion, of which USD 78 billion was accounted for by sub-Saharan Africa, while the cost of servicing the debt was between USD 14.6 billion and USD 24.5 billion dollars in the next five years, a third of their GDP. Debt, which was the central issue of numerous international meetings, was discussed at Arusha²⁰⁴, where on the basis of a working group report the Joint Assembly called for the conversion of the debt into a long-term loan, the creation of a European trust fund to be financed by the sale of 0.7% of the Member States' gold reserves, and the study of a European currency basket on which the currencies of the ACP countries would depend. The European Parliament resolution²⁰⁵ supported these proposals, but focused on more strictly political issues.

²⁰² EP resolution of 23 January 1987 on the outcome of the Joint Assembly proceedings, OJ C 46, 23.2.1987, p. 118 following on from the Committee on Development's report with the same title, Doc. A2-206/86. Rap: Condesso.

²⁰³ The issue of debt would be widely debated the next year in the wake of a report by a special working group.

²⁰⁴ EP - Committee on Development - Report on the outcome of the Joint Assembly proceedings. Doc. 224/87. Rap: Cassanmagnago Ceretti.

²⁰⁵ EP resolution of 19 January 1989 on the results of the work of the ACP-EEC Joint Assembly in 1988 in Lomé (Togo) and Madrid, OJ C 47, 27.2.1989, p. 147 following on from the Committee on Development's report with the same title, Doc. A2-281/88. Rap: Rabbethge.

In the first place it welcomed the progress achieved by the Joint Assembly in defining its own procedures for examining cases of human rights violations. The resolution also took a clear stance on the issue of South Africa, deplored the inadequate implementation of restrictive measures against that country's regime and invited the Community to take measures in support of the victims of apartheid, to promote regional cooperation projects among the countries along South Africa's borders, the 'front line' states, and to present a report on the measures taken against the Pretoria government. The resolution also called for the Council to put South Africa on the agenda of all its meetings.

The work of the 1988 Joint Assembly took place in Lomé in March and Madrid in September. The resolution approved by the European Parliament on the subject²⁰⁶ did not focus on any particular issues, but expressed support for all the positions taken by the Joint Assembly, especially its position on the renewal of the Convention, which largely coincided with Parliament's own position.

On the economic front, it joined the Joint Assembly in inviting the Community to assist the ACP countries in finding solutions to the debt problem, to improve Stabex and Sysmin and to take initiatives to increase productivity and added value. The resolution also called for an analysis of the impact on the ACP countries' economies of creating an internal market within the Community, which was due to come into force in 1992. It hoped for greater ACP-EEC collaboration in the field of health and hoped that a ban on exports of hazardous waste would be included in the fourth Lomé Convention, deploring the fact that the Council of Ministers of the Environment had not yet reached an agreement on the storage of such waste in developing countries.

On the thorny issue of South Africa, the resolution invited the EEC Council of Ministers to agree on a policy to bring an end to apartheid and invited the EEC-ACP foreign ministers to examine the situation. The resolution also took a position on the tragic events in Burundi²⁰⁷ and on the democratisation process in Suriname²⁰⁸. The resolution also supported the Joint Assembly's request to increase appropriations for refugees.

The Joint Assembly meetings in 1989 were held in January in Bridgetown, Barbados, and in September in Versailles. The gradual deterioration of the general position of developing countries coping with a continual increase in their debt and the uncertainty that the Community's single market, scheduled for 1992, represented for them, loomed over these meetings. A central theme of the Joint Assembly debates was Stabex, but the European Parliament resolution²⁰⁹ did not discuss it, unlike the accompanying report which gave it ample space, reaffirming, in the wake of the Joint Assembly debates, the unique nature and positive role of this stabilisation instrument, despite expressing reservations about its effectiveness in the current economic climate. However, its limitations were due to the fact that, designed to meet short-term needs, it was now facing a medium- to long-term crisis.

²⁰⁶ EP resolution of 18 December 1987 on the results of the work of the ACP/EEC Joint Assembly, OJ C 13, 18.1.1988, p. 168.

²⁰⁷ The ethnic clashes that occurred in August 1988 in Ntega and Marangara between Hutus and Tutsis.

²⁰⁸ In 1987 elections had been held there, following which a new constitution was approved. Although this constitution reintroduced democratic rules, it nevertheless allowed the dictator, Desi Bouterse, to remain in command of the army.

²⁰⁹ EP resolution of 19 January 1990 on the result of the work of the ACP-EEC Joint Assembly meeting in Bridgetown (Barbados) and Versailles (France) in 1989, OJ C 38, 19.2.1990, p. 138 following on from the Committee on Development's report with the same title. Doc. A3-107/89. Rap: Napoletano.

The resolution mentioned the debt issue in less peremptory terms than other resolutions, merely recalling those that called for the total remission of the debt of the least developed countries and the partial remission of that of the others and, in agreement with a Joint Assembly position, it stated that the European Community should pursue a policy that was independent from the international financial institutions. On this matter, again echoing the Joint Assembly it criticised the current structural adjustment policies, arguing that the countries concerned should take the decisions related to structural adjustment.

The structural adjustment policies were, among other things, blamed for a negative effect on health in many African countries, and the resolution called for the strengthening of cooperation in the health field.

On the issue of the renewal of the Convention, the resolution highlighted the importance of the appropriations for the effectiveness of cooperation, and dwelt in particular on the regulations provided for in Lomé IV that banned the export of toxic waste by the European Community to the associated countries, asking for the inclusion in the medium term of nuclear waste on the list of banned waste, and calling for strict controls on the matter.

3. Towards the fourth Lomé Convention: general framework

Barely two years after the entry into force of Lomé III, Parliament began to busy itself with the renewal of the Convention, with two large and detailed documents²¹⁰, a few months before the start of the negotiations, scheduled for September 1988. The report began with the observation that, despite the Community's action aimed at gradual improvement, the situation in many ACP countries, particularly in sub-Saharan Africa, had not substantially improved. The reasons for the ongoing crisis were identified in the report as follows:

In this can be seen the combined result of external factors that have had a major impact (continual fall in the price of raw materials, debt with its overwhelming charges, the fall of the dollar, the cessation of investment, worsening health conditions, recurrent shortages, etc.), but also ongoing unfavourable domestic or regional situations: local tensions and conflicts, the inability to cross certain borders, the resulting difficulties with establishing sufficiently large markets and economic agreements, instability in economic and trade policies, etc. As far as the Southern African group of countries is concerned, the overwhelming consequences of the policy of aggression and destabilisation pursued for many years by South Africa must also be taken into account.

As a result there was a need to consolidate the innovative measures of the third Lomé Convention, which had to be updated at the same time to take account of how the situation had changed in the last four years. The first proposal in this sense was to extend the term of the Convention, which would become a ten-year agreement of principles, while the

²¹⁰ EP - Committee on Development - Report on the fourth ACP-EEC Convention. Doc. 49/88. Rap: Bersani, and resolution of 20 May 1988 with the same title, OJ C 167, 27.6.1988, p.429.

supplementary technical and financial protocols would last for fifteen years²¹¹.

As far as human rights were concerned, the progress made with Lomé III and the resulting procedures for dealing with the most significant violations, introduced by the Joint Assembly, would be consolidated by embedding these procedures in the text of the future Convention.

The issue of human rights underlined the focus on the person which, according to the European Parliament's philosophy, also had implications for development. In the field of development, training activities were to be stepped up, along with cultural cooperation which, as the report observed, had been neglected thus far, despite a few laudable initiatives. The focus on the person also had to be realised by enhancing the social dimension of the Convention, expressed in the dialogue with the social partners, which had made progress under the Convention in force²¹².

4. Towards the fourth Lomé Convention: policies for implementation

By 1988, the **ACP countries debt** had reached USD 170 billion, equivalent to USD 340 per capita, which was more than the average income of an African. In view of this, it was not possible to count on the debt being absorbed in the long term by economic growth, but instead special measures were needed to cope with the situation in the short term, modelled on a Community programme already launched to help the countries of sub-Saharan Africa. The resolution also called for the replacement of the special loans with subsidies and, on the thorny issue of the structural adjustment programmes linking development aid to the application of firm measures, it called for Community support for long-term macroeconomic measures to be coordinated with the international financial institutions operating in the development credit sector.

On the fundamental question of **financial cooperation** the 1988 resolution broke with previous resolutions in not merely making a general request for an increase in appropriations, but asking for them to be defined on the basis of objective criteria such as actual need for effective intervention, debt, currency devaluation, population growth and that of the countries belonging to the Convention. The resolution also repeated the usual requests for inclusion of the European Development Fund in the Community budget and for the strengthening of controls by the Community institutions on development activities, for which it also requested an acceleration of expenditure.

The results of **commercial cooperation** were disappointing. The volume of trade between the ACP States and the Community was down, despite the Community being the area most open to foreign trade. The causes were the global economic climate and that of the ACP States in particular, but also the inefficiency of international trade-related services, primarily banking and transport. In addition to specific measures to help these sectors, the Community would have to take appropriate action at international level, particularly in the negotiations for the Uruguay Round, by working hard to get the industrialised

²¹¹ This is what point 16 of the resolution said, while the report also described the solution being sought by the Commission of an agreement of unlimited duration.

²¹² For a detailed illustration of this progress, see paragraph I-10 of the report.

countries to adopt the same measures it had been using to favour the export of ACP products. Furthermore, international action was needed to break down protectionist barriers and stabilise prices.

Fluctuations in the price of raw materials had brought Stabex into crisis and, as a result, its intervention had to be linked to structural adjustments and crop diversification.

The third Lomé Convention was mainly concerned with promoting rural development as a means of guaranteeing the ACP countries' food self-sufficiency and therefore **combating hunger**, ensuring at the same time that there was an automatic improvement in living conditions. The extent of achievement of these objectives, which were also fully supported and acknowledged by the Organisation of African Unity, had until then been less than hoped for, and further action to restructure the agricultural sector was needed. The resolution placed particular emphasis on support for cooperatives and small farmers, especially women, but also mentioned the objective of protecting natural resources as a means of rural development. International agreements between the large food exporters were also necessary to prevent prices from falling further.

The European Parliament had always stressed that the objective of food self-sufficiency should not be understood to mean autarchy, and so cooperation, not just in the agricultural sector, should develop at regional level to compensate for the small size of many markets in the ACP countries, as the Bersani report pointed out. Hence the expectation, shared by the Joint Assembly, of a further boost for regional cooperation, demanded of Lomé IV. The 1988 resolution proposed an increase in the financial resources made available for **regional cooperation**, which could be paid out using ad hoc European Development Fund procedures. The resolution also called for a change in the definition of 'regional' for programmes and hoped that the Community would help regional organisations in the ACP countries to restructure.

CHAPTER VI

THE FOURTH LOMÉ CONVENTION

1. The fourth Lomé Convention²¹³

The fourth Lomé Convention was signed in the capital of Togo on 15 December 1989²¹⁴, following more than a year of negotiations that had begun on 12 October 1988. Its term, in line with the European Parliament's wishes, was now ten years with a fifteen-year financial protocol, providing twelve billion ECU for the first period; of this, ECU 10.8 billion was to go into the European Development Fund, which was therefore 25% bigger than the previous one. A review of the Convention was also provided for once it had been in force for five years.

With the enlargement to include the Dominican Republic and Haiti, there were now sixty-eight ACP States, and Namibia was scheduled to join when it achieved independence on 21 March 1990.

The fundamental principles were the same as in the previous conventions: equality between the partners, respect for their sovereignty and the pursuit of comprehensive self-reliant and self-sustained development. Human rights were clearly mentioned for the first time²¹⁵ and the new Convention emphasised that

...ACP-EEC cooperation shall help abolish the obstacles preventing individuals and peoples from actually enjoying to the full their economic, social and cultural rights and this must be achieved through the development which is essential to their dignity, their well-being and their self-fulfilment.

In view of this, for the first time there was provision for the possibility of financial assistance with promoting human rights in the ACP States, including legal protection for these rights.

But the most important new feature was probably the central place given to environmental protection as a principle to inspire development policies:

Such development shall be based on a sustainable balance between its economic objectives, the rational management of the environment and the enhancement of natural and human resources²¹⁶. In view of this, the need

²¹³ The source of this paragraph is EP - Committee on Development - Report on the Conclusion of the fourth ACP-EEC Convention. Doc. A3-90/90. Rap: Tindemans. The subsequent Decision (assent procedure) with the same title was dated 16 May 1990, OJ C 149, 18.6.1990, p. 71. The quotations in the text of this paragraph are taken from the Tindemans report unless stated otherwise. The resolution of 25 October 1989 on the negotiations for the renewal of the ACP-EEC Convention, OJ C 304, 4.12.1989, p. 48, should also be mentioned.

²¹⁴ Because it was to enter into force on 1 September 1991, i.e. on the first day of the second month following the ratification of all the Member States and of at least two thirds of the ACP States, some interim arrangements were adopted on which the European Parliament gave its opinion with a series of legislative resolutions on 16 February 1989, published in OJ C 68, 19.3.1990, p. 180. These follow on from the report by the Committee on Development entitled Application of interim arrangements up to the entry into force of the fourth Lomé Convention. Doc. 33/90. Rap: Tindemans.

²¹⁵ In particular, the Universal Declaration of Human Rights is mentioned in the preamble together with other regional agreements on the subject such as the African Charter on Human and People's Rights

²¹⁶ The environmental measures included a ban on the Community Member States exporting hazardous waste and radioactive waste to the ACP States and on the ACP States importing such waste from any country.

for both men and women to participate in cooperation and benefit from it on equal terms is underlined.

The objective of structural adjustment, i.e. measures to solve the problem of debt, was also introduced. To this end, all Community intervention apart from the EIB loans would take the form of grants.

The new Convention established the principle of decentralised cooperation, by recognising in line with Parliament's wishes the role of the various cooperation bodies, chiefly NGOs.

As far as cooperation policies were concerned, agricultural and rural development remained the priority for the Convention while, as regards food aid, so-called triangular operations were sanctioned²¹⁷. Cooperation in the health field received a boost with the setting of the objective of ensuring access for the greatest number of people to adequate healthcare. To this end a long-term action would be necessary that could extend to infrastructures and facilities, personnel training and the planning and management of healthcare systems.

Rural development, food aid and healthcare as areas of cooperation were interdependent with the area of population and family planning introduced by the new Convention, which had to be voluntary and respect fundamental rights.

Substantial improvements were also introduced on the tricky subject of women's rights. The new text stressed that it was a matter of promoting the involvement of women in production processes on the same terms as men, and to this end, emphasis was placed on training for women with particular attention to the areas in which they already played a role: health and nutrition.

Diversification of production and exports was the cornerstone of the Convention's strategy to overcome the current crisis affecting many basic products, and to guarantee better functioning of their international markets. Within this framework, Stabex was strengthened by giving it better procedures, extending it to derivatives of cocoa, octopus, cuttlefish and to all the essential oils, and reducing by 5 points to 1.5% the threshold of dependence above which the system would intervene. Meanwhile, gold and uranium were added to the products to which Sysmin applied.

2. Review of the Convention

The mid-term review of the Convention and the second financial protocol²¹⁸ were signed in Port Louis (Mauritius) on 4 November 1995 and, after the necessary ratifications, entered into force on 1 June 1998 to expire on 1 August 2000, the expiry date of the fourth Lomé Convention.

²¹⁷ These were operations in which the foodstuffs being provided as food aid for a particular country were bought by the Commission from another country in the same region or a country close to the country for which they were destined.

²¹⁸ Agreement amending the fourth ACP-EC Convention of Lomé signed in Mauritius on 4 November 1995 - Second Financial Protocol - Final Act - Official Joint Declaration on trade development, OJ L 156, 29.5.1998 p. 03-106. The European Parliament had given its approval with its Decision of 12 December 1996 on the draft decision concerning the conclusion of the agreement amending the fourth ACP-EC Convention of Lomé, signed in Mauritius on 4 November 1995, OJ C 20, 20.1.1997 p. 134 following on from the Committee on Development's report with the same title. Doc. A4-387/96. Rap: Wurtz.

A substantial amount of the Convention was amended (a fifth of its articles), though its general thrust was not changed. On the political and institutional front, respect for democratic principles and the rule of law was made the basis for cooperation, and a special provision, Article 366a²¹⁹, provided for the suspension of cooperation with countries violating these principles. This provision completed the process of including in the Lomé Convention the fundamental principles of the European Community, which had begun with a declaration annexed to Lomé III; with Lomé IV the issue became an integral part of the text (Article 5) and, with this review, respect for democratic principles took on greater weight with the inclusion of a sanction, the suspension of cooperation, for violating them.

The objectives of cooperation now included the proper management of public affairs and the ACP-EU political dialogue was extended to foreign policy and security.

On the economic front, emphasis was placed on the need to promote a market economy and the private sector, to improve the competitiveness of the ACP economies and access to the Community market for some of their products, including by relaxing the rules on origin. Regional cooperation, to which some financial support was allocated, was also given prominence.

Regarding the financial protocol, the total amount made available was ECU 14.6 billion, of which ECU 13 million was from the European Development Fund and the remainder from EIB loans.

There was widespread dissatisfaction, and the accompanying report dwelt particularly on the financial protocol. Despite Parliament's positive influence, it had not maintained the Community contribution at the levels of the previous five years in real terms. However, the Committee on Development proposed giving its assent based on a number of considerations: firstly, the interest of the ACP States in receiving support in their condition of economic weakness, and secondly, the need to prevent a crisis for the Convention at a time when development cooperation policy was being marginalised among Community

²¹⁹ It seems worthwhile to provide the text:

1. Within the meaning of this Article, the term 'Party' refers to the Community and the Member States of the European Union on the one side, and each ACP State, on the other.
2. If one Party considers that another Party has failed to fulfil an obligation in respect of one of the essential elements referred to in Article 5, it shall invite the Party concerned, unless there is special urgency, to hold consultations with a view to assessing the situation in detail and, if necessary, remedying it.

For the purposes of such consultations, and with a view to finding a solution:

- the Community side shall be represented by its Presidency, assisted by the previous and next Member States to hold the Presidency, together with the Commission,
- the ACP side shall be represented by the ACP State holding the co-presidency, assisted by the previous and next ACP States to hold the co-presidency. Two additional members of the ACP Council of Ministers chosen by the party concerned shall also take part in the consultations.

The consultations shall begin no later than 15 days after the invitation and as a rule last no longer than 30 days.

3. At the end of the period referred to in the third subparagraph of paragraph 2 if in spite of all efforts no solution has been found, or immediately in the case of urgency or refusal of consultations, the Party which invoked the failure to fulfil an obligation may take appropriate steps, including, where necessary, the partial or full suspension of implementation of this Convention to the Party concerned. It is understood that suspension would be a measure of last resort.

The Party concerned shall receive prior notification of any such measure which shall be revoked as soon as the reasons for taking it have disappeared.

policies and the policies of the largest Member States, with the risk of damaging relations between the ACP and EU.

A few months after the European Parliament declared its position on the agreement made in Mauritius, a struggle began with the Council over the rules for applying Article 366a. The first action was the resolution on the Commission proposal²²⁰. The accompanying report was cautious about the inclusion of human rights, which it believed was *not in itself a negative development provided the EU adopts a consistent policy not influenced by its geopolitical interests. Unfortunately, so far this has not always been the case.*

On the suspension of cooperation, which in twelve cases had already been implemented without Article 366a, the report commented on how, until now, it had covered only the financing of new projects from the European Development Fund, Stabex transfers and application of approved projects. However, the usual practice in the twelve cases did not reveal any clear criteria, and the report identified two instances of discrimination. The first was between ACP countries and (particularly Asian and Latin American) countries, the agreements with which required respect for fundamental principles, though the sanctions did not prevent the continuation of economic relations. The second was among the ACP countries, where there was a lack of consistency in the approach to different crisis situations. The report went on to make a distinction between human rights that do not depend on the political will of a country's public authorities and economic rights, which depend on the availability of services and infrastructures, and therefore on the public authorities.

The resolution recommended a few changes to allow Parliament to assent to the cooperation suspension procedure and a special procedure for resumption. The Council considered Parliament's assent inadmissible, and submitted a draft decision to Parliament, which only required Parliament to be informed. In a new resolution²²¹, Parliament this time recommended the consultation of Parliament on the suspension and resumption procedure.

Discussions about the issue between the rapporteur and the British Presidency of the Council led to a series of proposals that Parliament should be informed in advance unofficially, but this agreement was not accepted by the Council. However, the Commission said it was prepared to apply in future the procedure used in the past for the suspension of cooperation with Togo when, before the proposal for suspension was formulated, the relevant director-general informed the Committee on Development about the matter. The fact that the Commission took this position allowed the parliamentary committee to propose to Parliament that it should approve the draft Council decision, which provided for a qualified majority rather than the unanimity that would otherwise have been necessary²²².

²²⁰ EP resolution of 13 June 1997 on the proposal for a Council Decision on a framework procedure for implementing Article 366a of the fourth Lomé Convention, OJ C 200, 30.6.1997 p 256, following on from the interim report by the Committee on Development with the same title. Doc. A4-175/97. Rap: Aelvoet.

²²¹ EP resolution of 17 June 1998 on the draft Council Decision on the procedure for implementing Article 366a of the fourth ACP-EC Convention, OJ C 210, 6.7.1998 p. 125, following on from the interim report by the Committee on Development with the same title. Doc. A4-194/98. Rap: Aelvoet.

²²² EP - Committee on Development - Recommendation on the draft Council Decision on the procedure for implementing Article 366a of the fourth Lomé Convention, Doc. A4-13/99 Rap: Aelvoet. The EP gave its opinion in the Decision of 12 February 1999 with the same title, OJ C 150, 28.5.1999, p. 614.

3. The debt of the heavily indebted poor ACP countries

The gradual transition to democracy of the ACP countries led to the debts contracted by the deposed regimes being considered to be 'odious debt', i.e. debt for which the obligation of repayment is recognised, but that is acknowledged not to have been contracted in the best interests of the people but due to the domestic and foreign security requirements of dictatorships, their delusions of grandeur and the personal benefit of their ruling classes.

These debts are particularly onerous and damage the growth potential of indebted countries. Internationally, the concept of sustainable debt had therefore become established, i.e. debt that a country was capable of repaying promptly and in full, without damaging its economic growth. This definition was formulated on the initiative of the international financial institutions (IFIs) for the purpose of meeting the heavily indebted poor countries (HIPC) halfway and avoiding the absurd situation in which development aid was being given on the one hand and on the other a repayment obligation that could never be met was being maintained.

There was therefore a need for debt reduction as a condition for development, and the international initiative consisted of exceptional aid for both multilateral and bilateral debts. The sustainability criteria were the ratio between the debt and export proceeds (within the band 200-250% was sustainable), the ratio between the interest on the debt and these proceeds (not above 20-25% was sustainable), and later on the ratio between the debt and revenue from taxation.

Based on the first two criteria, eleven ACP countries were covered by the initiative²²³, but other states were also added when the third criterion was applied. The European Community participated in the initiative, the total cost of which was USD 5.6 billion at around 5%, in the form of additional funds to be used for servicing the debt. Its contribution came from funds made available by the Member States and not from its own budget, and therefore Parliament was not formally consulted but expressed its opinion on the Commission communication²²⁴, welcoming the initiative and agreeing with the concept of debt sustainability, but calling for human development and social indicators to be included in the definition. It also called for a more flexible use of the criteria, extended to a larger group of countries to ensure quicker debt relief.

4. The banana war

The fifth protocol to the Lomé Convention aimed to protect ACP countries in the banana sector whose industry consisted of small businesses, which were having to face competition from the large, mainly US-owned, banana multinationals operating in Central and South

²²³ Burundi, Ethiopia, Guinea Bissau, Madagascar, Mozambique, Niger, Rwanda, São Tomé and Príncipe, Democratic Republic of Congo, Zambia and Uganda.

²²⁴ EP resolution of 16 January 1998 on the communication from the Commission on support for structural adjustment and debt relief in heavily indebted ACP States - a Community response to the HIPC debt initiative, and on the proposal for a Council Decision concerning Exceptional Assistance for the Heavily Indebted ACP countries, OJ C 34, 2.2.1998, p. 196, following on from the Committee on Development report with the same title. Doc. A4-382/97. Rap: Torres Couto. The abbreviation HIPC stands for heavily indebted poor countries.

America, with substantial competitive advantages in terms of natural conditions, working methods and pay.

The declared scope of the protocol was in truth the protection of the ACP countries that traditionally supplied bananas from the creation of the internal market, and the protocol stated that none of them should lose the advantages they enjoyed in the European national markets. Two declarations, both annexed to the Convention, stated the scope of the protocol: Annex LXXIV stated that the Community may establish common rules for bananas as long as their advantages were maintained, as provided for in the protocol, even in respect of a natural fall in banana consumption. Meanwhile, the next Annex emphasised that the ACP States must be traditional suppliers if they were to enjoy the protection of Protocol 5, and that this therefore did not apply to the new ACP States, which at the time of signing the Convention were not exporters of bananas to the Community.

The Community used its entitlement to establish common rules for bananas²²⁵ to support its own banana producers²²⁶ and the traditional ACP suppliers²²⁷. The common organisation came into force on 1 July 1993. In 1995, Ecuador, Guatemala, Mexico and Panama, all large banana producers, and the United States, which owned some large banana companies, referred the matter to the World Trade Organisation (WTO), and in 1997 it found in their favour, since the mechanisms of the common organisation of the market would favour importers of ACP bananas over those from other origins, which was contrary to the rules of international trade. The ruling required the Community to modify the common organisation accordingly by the end of 1998.

In response to the WTO injunction, in January 1998 the Commission submitted a proposal for modifying the common organisation and, the following month, one for a special framework of assistance for traditional ACP suppliers of bananas that, for ten years, would give them technical and financial assistance to improve their competitiveness by increasing productivity while respecting the environment, improving quality and methods of production, distribution and marketing.

Parliament gave its opinion on the matter²²⁸, deploring the fact that although the Commission proposal mentioned the need to take account of the environment in the banana sector, it had not accommodated Parliament's suggestions for sustainable products. It also regretted the fact that the provisions were limited to the ACP States that were *traditional* suppliers, and expressed the fear that the contributions could work to the advantage of the

²²⁵ Belgium, Germany (the largest European consumer of bananas, including per capita) and the Netherlands were against the measure and, after they joined, so were Austria, Finland and Sweden, which had experienced banana price rises internally. EP - Committee on Development - Report on the proposal for a Council regulation establishing a special framework of assistance for traditional ACP suppliers of bananas. Doc. 237/98. Rap: Liese.

²²⁶ In the Canary Islands, Madeira, Guadeloupe, Martinique and Crete

²²⁷ Cameroon, Côte d'Ivoire, Saint Lucia, Dominican Republic and Jamaica. This list and the list in the previous footnote come from the aforementioned Doc. 237/98. The list does not include Haiti, which comes under the 'geographical cover' of Annex LXXV.

²²⁸ EP resolution of 19 June 1998 on the proposal for a Council regulation establishing a special framework of assistance for traditional ACP suppliers of bananas, OJ C 210, 6.7.1998, p.320 following on from the report mentioned above, Doc. 237/98. Parliament had already given its opinion on another Commission proposal on the same subject, in its resolution of 21 June 1996 on the proposal for a Council regulation amending Council Regulation (EC) No 2686/94 establishing a special system of assistance to traditional ACP suppliers of bananas, OJ C 198, 8.7.1996, p. 260 following on from the Committee on Development's report with the same title. Doc: A4-182/96. Rap: Castagnède.

multinational companies. It nevertheless approved the Commission proposal in a spirit of compromise²²⁹.

5. The European Parliament and the Joint Assembly (1990-1993)

The work of the Joint Assembly in the first year after the Convention was signed took place in Port Moresby, Papua New Guinea, in March 1990, and in Luxembourg in September. As usual, the European Parliament gave its opinion on the matter in a resolution²³⁰, which supported the positions taken by the Joint Assembly, particularly the reporting of a number of gaps in the new Convention:

...the new Convention includes many gaps, both qualitative (inadequacy of the financial allocation, failure to compensate for the erosion of the GSP, predictable effects of the 1993 Single Market, GATT agreements and withdrawal of investment affecting the ACP countries), quantitative (inadequacy, a priori and a posteriori, of the environmental impact assessments of projects and of the movements of toxic waste) and other (administrative inertia criticised under Lomé III in programme implementation and, generally, short-termism taking precedence over long-termism).

A particular feature of the resolution was that in the first few points, although it welcomed the gradual increase in the number of ACP delegates from national parliaments, it deplored the continued presence of delegates who were ambassadors and the problem of them sending employees as substitutes during votes. It also regretted the many absences of Community delegates from the meetings held in Europe and from the working group meetings.

The following year²³¹ the Gulf crisis raised concerns about the possible impact on development cooperation, but it was the events in Eastern Europe especially that made the ACP countries fear the diversion of some of the funds destined for cooperation to this area. This second concern was echoed in the European Parliament resolution²³²:

reaffirms its determination not to accept a reduction in traditional development aid following the events in Eastern Europe and the Commonwealth of Independent States (CIS); invites the Community and its Member States to ensure progress is made in fulfilling the political commitment made to allocate 0.7% of GDP to development aid.

²²⁹ Parliament also expressed its opinion in the second reading in its Decision of 28 January 1999 on common position (EC) No 60/98 adopted by the Council with a view to adopting a Council Regulation establishing a special framework of assistance for traditional ACP suppliers of bananas, OJ C 128, 7.5.1999, p. 67 following on from the Committee on Development's report with the same title. Doc: A4-12/99. Rap: Liese.

²³⁰ EP resolution of 24 January 1991 on the results of the work of the ACP-EEC Joint Assembly meeting in 1990 in Port Moresby (Papua New Guinea) and Luxembourg, OJ C 48, 25.2.1991, p. 176 following on from the Committee on Development's report with the same title. Doc: A3-375/90. Rap: Schmidbauer.

²³¹ In 1991 the work took place in Kampala (Uganda) in February and in Amsterdam in September.

²³² EP resolution of 14 January 1992 on the results of the work of the ACP-EEC Joint Assembly meeting in Kampala (Uganda) and Amsterdam (the Netherlands) in 1991, OJ C 67 of 16.3.1992, p. 208 following on from the Committee on Development's report with the same title. Doc: A3-15/92. Rap: Andrews.

The resolution repeated its invitation to the Council to grant remission of the ACP countries' debts and returned to the question of including the European Development Fund in the Community budget.

The content of the resolution for 1992²³³ differs from that of the accompanying report. This in fact focused on problems with the functioning of the Joint Assembly, already mentioned two years before: the presence of ambassadors among the ACP delegates and absenteeism among the Community delegates, and it suggested a few remedies. Meanwhile, the resolution, which deplored the failure to approve a general report on *democracy, human rights and development in the ACP countries*, dwelt on these problems instead, saying on the one hand that a joint reflection was required on the right to peaceful and democratic interference and on the other that democracy could not survive without a minimum of economic and social wellbeing.

The fundamental point of the resolution on the deliberations in 1993²³⁴ was the democratisation of the institutions of the Convention, and in particular of the Joint Assembly, of which the propositional role in the revised Convention required the full respect of the ACP-EU Council. Within this framework, the request for financial independence for the Assembly was repeated. The resolution also dealt with human rights and the progress towards democracy of some African countries.

6. The European Parliament and the Joint Assembly (1994-1998)

In 1994, election year for the European Parliament, the Joint Assembly met in Strasbourg in February and in Libreville (Gabon) in October. It was the first time that Eritrea, the seventieth ACP member, had taken part, along with South Africa as an observer, which in April had held its first elections in which the entire population had taken part. The European Parliament resolution²³⁵ was pleased with the work and noted that 77% of the ACP countries' delegates now came from national parliaments. However, it repeated its request for greater budgetary independence for the Assembly, which, as the accompanying report revealed, was currently restricted in its autonomy over its own work.

On the content of this work, the resolution supported the Assembly's proposals for the mid-term revision of the Convention, particularly the proposals concerning support for the democratisation process, the social consequences of structural adjustment, the ACP countries' participation in the positive effects of the Uruguay Round, and coherence between Community development policy and policies in other areas.

In 1995, the Joint Assembly met in Dakar (Senegal) in January and in Brussels in September. Its work was dominated by the negotiations on the appropriations for the eighth European Development Fund. One institutional fact worthy of note was the admittance to the

²³³ EP resolution of 12 March 1993 on the outcome of the meetings of the ACP-EEC Joint Assembly in 1992 in Santo Domingo (Dominican Republic) and Luxembourg, OJ C 115, 26.4.1993, p. 270 following on from the Committee on Development's report with the same title. Doc: A3-62/93. Rap: Bota.

²³⁴ EP resolution of 9 February 1994 on the results of the deliberations of the ACP-EEC Joint Assembly in 1993, OJ C 61, 26.2.1994, p. 107 following on from the Committee on Development's report with the same title. Doc: A3-38/94. Rap: Cassanmagnago Ceretti.

²³⁵ EP resolution of 19 January 1995 on the work of the ACP-EU Joint Assembly in 1994, OJ C 43, 20.2.1995, p. 69 following on from the Committee on Development's report with the same title. Doc: A4-123/94. Rap: Baldini.

negotiations of a delegation from the Assembly, as observers. Though it was pleased with this new institutional approach and the general climate in which the negotiations were conducted, the European Parliament resolution²³⁶, expressed concern about the total allocation, which it felt was inadequate to achieve the objectives of the Lomé Convention. However, its judgment of the work done by Joint Assembly delegations that had visited a number of African countries²³⁷ troubled by internal conflict, was positive, though it condemned the Joint Assembly's silence on the crisis in Nigeria, where it would have been useful to send a delegation. It should also be mentioned that it invited the European Union to ban the manufacture of landmines.

In 1996 the Joint Assembly met in Windhoek (Namibia) in March and in Luxembourg in September. The mid-term review of the Convention had taken place and the European Parliament²³⁸ called for it to be ratified as soon as possible, but the resolution's main interest was in the forthcoming negotiations for the fifth Lomé Convention and the Commission Green Paper on the subject. Parliament expressed its wish that the Joint Assembly would be involved in the discussions on it and repeated its own traditional ideas about cooperation policy. The negotiations under way for the revision of the Treaty on European Union were also mentioned by the resolution, which called on Parliament to try to combine the various aspects of foreign policy in a single chapter, so they would form an integrated vision.

In 1997 the Joint Assembly met in Brussels in March and in Lomé (Togo) in October. Originally it was to have been the spring session that was held in Lomé, but the choice of the city was challenged by some European members because of the human rights situation in Togo and doubts about the fairness of the latest elections, which had caused the Community partially to suspend cooperation with the country. During the discussion on the venue, Togo received the support of the ACP members and, following a visit by a delegation from the Assembly, which was able to observe progress with human rights and democracy and formulate proposals for the future, the decision was made to hold the autumn session in Lomé, during which the situation in Togo would be central to the discussions²³⁹.

This choice of venue was also discussed in the European Parliament resolution²⁴⁰, which emphasised how the choice of venue for the session implied a positive value judgment of the host country and that consequently it should take account of the principles of democracy and the rule of law. This warning was given in a wider context of criticism of the work of the Joint Assembly sessions, expressed in firm but diplomatic terms in fairly unusual tones for European Parliament resolutions. In particular, the charge was made that the clear position adopted in the spring session concerning human rights violations in Nigeria was weakened by the corresponding position taken during the autumn session, and that the majority of ACP members did not vote in favour of similar resolutions on Togo and the Democratic Republic of Congo.

²³⁶ EP resolution of 14 March 1996 on the work of the ACP-EU Joint Assembly in 1994, OJ C 96, 1.4.1996, p. 286 following on from the Committee on Development's report with the same title. Doc. A4-45/94. Rap: Aldo.

²³⁷ Burundi, Zaire, Rwanda, Sudan, Eritrea, Ethiopia and Mali.

²³⁸ EP resolution of 21 February 1997 on the outcome of the proceedings of the ACP-EU Joint Assembly in 1996, OJ C 85, 17.3.1997, p. 176 following on from the Committee on Development's report with the same title. Doc. A4-19/97. Rap: Baldi.

²³⁹ EP - Committee on Development - Report on the outcome of the proceedings of the ACP-EU Joint Assembly in 1997. Doc. A4-80/98. Rap: Robles Piquer.

²⁴⁰ EP resolution of 13 March 1998 on the results of the work of the ACP-EU Joint Assembly in 1997, OJ C 104, 6.4.1998, p. 273.

The difference between the voting patterns of the European representatives and the ACP representatives was a general problem, and consequently the resolution proposed replacing the current voting system of two electoral colleges, with a single electoral college in which the two categories of representatives would vote together.

On cooperation issues, the resolution echoed the Joint Assembly conclusions on urban development in African countries and the need for all development policy measures to take account of environmental protection, including in relation to climate change, which was causing desertification in Africa.

In 1998 the Joint Assembly met in Port Louis (Mauritius) in April and in Brussels in September. South Africa took part fully in the second session, having become the seventy-first member of the Convention on 1 June, along with a delegation from Cuba as observers. The European Parliament resolution²⁴¹ noted with satisfaction that a large majority of the ACP representatives (75-85%) now came from national parliaments. It underlined the close relationship between development and democracy, human rights, pluralism and good governance, but was worried about retrogressive changes being made to the constitutions of some ACP States and about the way some elections had been conducted.

Regarding the crisis situations, the judgment of the positions adopted by the Joint Assembly was better than in the previous year: the position on Nigeria, where the new government appeared more reliable than the previous one²⁴², allowed for a twin-track strategy of opening credit to the new government but maintaining sanctions until the human rights violations had ceased. The condemnation of Sudan also received the European Parliament's support, and it welcomed the results achieved by the Joint Assembly's missions to Kenya.

²⁴¹ EP resolution of 9 March 1999 on the results of the work of the ACP-EU Joint Assembly in 1998, OJ C 175, 21.6.1999, p. 54 following on from the Committee on Development's report with the same title. Doc. A4-65/99. Rap: Corrie.

²⁴² The assessment in the accompanying report.

CHAPTER VII

TOWARDS THE COTONOU AGREEMENT

1. General aspects

The Lomé IV Convention expired on 29 February 2000 and the negotiations for its renewal were scheduled to begin in September 1998. With a view to these negotiations, the Commission published a Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century. The European Parliament, in expressing its views²⁴³, took a more positive approach to the outcomes of cooperation than previous EP resolutions and the Green Paper itself, which the resolution implicitly reproached for a degree of pessimism; it highlighted the successes achieved through quotations from leaders of ACP countries as well as experts and officials responsible for international cooperation. This favourable stance led to optimism, not without an awareness of the problems, that was encapsulated in a line of thought clearly summarised in recital M of the resolution:

whereas the EU must pursue an ambitious, firm policy vis-à-vis the ACP States and, in particular, sub-Saharan Africa and must offer to any of its partners willing to accept it a fresh agreement, not only in order to safeguard and build on the achievements of 25 years of a North-South cooperation programme, which, if not exemplary, is at least unique in its sphere, but also in order to increase its effectiveness and scope; whereas the objectives of that agreement should be sustainable and humane development, the fight against poverty, the integration of the ACP States into the world economy, and the deepening and strengthening of political relations between the EU and the ACP States; whereas this new form of cooperation will call for relations between the EU and the ACP States tailored to the characteristics of regions, sub-regions and countries, i.e. a structure which differs from that of the previous agreements and conventions; whereas the renewal of the fourth Lomé Convention offers the parties an opportunity to re-lay the foundations of a partnership of mutual interest, in the light of the new system of international relations, retaining and emphasising the basic principle of partnership which has made the Lomé process unique.

2. Key elements

The resolution went on to examine certain key elements in detail.

First of all, the concept of *partnership* was divided into a series of specific demands on various issues ranging from the internal organisation of the Convention, which must centre on the Joint Assembly, to the efficiency criteria that must inform cooperation, to

²⁴³ EP resolution of 2 October 1997 on the Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century, OJ C 325, 27.10.97, p. 28 following on from the report of the Committee on Development with the same title. Doc. A4-274/97. Rap: Martens

the maintenance of peace and security, including a ban on the use of landmines and crisis prevention.

As concerns the *objectives*, the most important of which were poverty reduction and cooperation with the poorest countries, specific reference is made to demographic policy. Other fundamental objectives were the environment, for which a number of secondary objectives were set out, the competitiveness and stability of the ACP countries' economies, and culture.

Regarding the *instruments*, the main one was identified as a regional approach to cooperation and a review of the existing instruments, Stabex and Sysmin, with the aim of putting an end to the exclusive dependence of ACP States on a small number of products.

Drastic simplification was called for as regards *financial and technical cooperation*, which must become transparent, effective and visible. To this end, as well as reiterating its call for the incorporation of the Development Fund into the EU budget, the resolution called for financial cooperation to be divided into three chapters: long-term, short-term and that intended for the non-governmental sector. As for the financing criteria, these must include social considerations and those relating to democracy and respect for human rights.

Finally, as regards the *responsibilities of the European Union*, the resolution rejected any reduction in the EU's commitment towards the South and pointed out that the success of the future Convention would also depend on the capability of the EU to achieve better coordination between the policies of the Member States and European policy; to make its policies more consistent, in particular as regards food security, fisheries and migration; to draw up its own development strategies and to affirm its identity in all international fora. On this specific point, the resolution referred to the appeal against the outcome of the WTO panel on the organisation of the banana market, which queried the preferential trade arrangements; it also called on the Commission to defend the Community position with all the legal means at its disposal and to negotiate with the WTO differentiated trade regimes for the ACP countries.

This EP resolution was one of its most successful, since the draft negotiating mandate presented by the Commission to the Council was broadly similar in content, as was noted with satisfaction in the report accompanying the motion for a resolution on this matter which led to the position adopted by Parliament²⁴⁴. The resolution reiterated and clarified the demands already put forward regarding the Green Paper.

The new Convention must have a *strong political dimension* to favour the appropriation by ACP States of their own development and give them more control. Yet the political chapter was not confined to the management of cooperation; it was devoted above all to the maintenance of peace, for which it was suggested that the Organisation of African Unity should determine the criteria for security, limitation of military spending, respect for human rights and combating corruption. Specific cooperation efforts were envisaged to support the democratisation of the Joint Committee, both through new working methods

²⁴⁴ EP resolution of 1 April 1998 on the communication from the Commission on the Guidelines for the negotiation of new cooperation agreements with the African, Caribbean and Pacific (ACP) countries, OJ C 138, 4.5.98, p. 108, following on from the report of the Committee on Development with the same title. Doc. A4-85/98. Rap: Rocard

and by introducing arrangements whereby its composition would reflect the diversity of opinion in the ACP countries and have a balanced representation of women.

As regards *poverty alleviation*, for which trade liberalisation and economic growth were not sufficient, importance was attached to the funding of social services and family planning. Mention was made, in one of the very few criticisms of the Commission's document, of its failure to comment on the problem of refugees.

On the subject of *opening up cooperation to economic partnership*, Parliament considered the creation of free trade areas to be premature on account of the high adjustment costs and the risk of increased poverty in the ACP States concerned, while it supported the Commission's proposal to maintain the existing Lomé preferences, stressing the need for a prudent and gradual move towards reciprocal trading relations with the ACP countries. Parliament acknowledged the difficulties involved in implementing the desired system of trade relations, particularly as regards the WTO rules, but pointed out that these obstacles could be removed by bringing to bear the combined weight of the 71 EU and ACP States represented out of the total of 132.

Among the other ideas put forward by Parliament were technology transfers to the ACP countries on a non-commercial basis and the establishment of a legal framework to protect biodiversity in the South.

3. Democracy, the rule of law and human rights

In terms of the title of this section, the succession of Conventions demonstrated a gradual progression towards acceptable standards. The 1995 revision of the Fourth Convention sanctioned the recognition and application of democratic principles, the rule of law and good governance, with the introduction of the penalties set out in Article 366. Prior to the renewal of the Convention, the Commission put forward a communication dedicated to these issues, on which the European Parliament gave its views²⁴⁵, expressing satisfaction with the progress made in recent years by a certain number of ACP countries in spite of their economic and social difficulties.

As regards the next Convention, the European Parliament focused mainly on the question of good governance and the fight against corruption, which undermines government credibility in some ACP countries. Good governance and the fight against corruption must be key elements of the new Convention which, to that end, must lay down tangible instruments and measures including a set of specific, practical and uniform anti-corruption sanctions aimed at both active and passive forms of corruption and applying equally to the ACP countries, EU Member States and their economic operators. The sanctions needed to be reinforced by a joint anti-corruption watchdog and enforcement mechanism, and every ACP country should have an independent national audit office able to report to its government and national parliament, as well as cooperating with the European Court of Auditors in checking on the use made of EU funds.

²⁴⁵ EP resolution of 15 January 1999 on the Commission communication entitled *Democracy, the rule of law, respect for human rights and good governance: the challenges of the partnership between the European Union and the ACP States*, OJ C 104, 14.4.99, p. 185 following on from the report of the Committee on Development with the same title. Doc. A4-411/98. Rap: Fernandez Martin.

The resolution also commented on ways of achieving the proposed objectives. Firstly, the ACP countries should define their own objectives and priority areas for action, albeit without calling into question the universality of respect for human rights. In this regard, a dialogue on these matters should take place not just between the European Union and the ACP countries but also within the latter and involving civil society, deemed essential to the success of democratisation measures and the monitoring of outcomes.

The resolution furthermore proposed specific initiatives relating to women, children and army, police and prison personnel.

CHAPTER VIII

COOPERATION OUTSIDE THE YAOUNDÉ AND LOMÉ CONVENTIONS²⁴⁶

1. The Association of overseas countries and territories

The Yaoundé Convention, concluded between the Community, the Member States and the Associated States, all of which are sovereign, did not – unlike the Association Convention – apply to the overseas countries and territories, which at that time were: Saint Pierre and Miquelon, the Comoro Archipelago, French Somaliland, New Caledonia and dependencies, the Wallis and Futuna islands, French Polynesia, the Southern and Antarctic Lands, Suriname²⁴⁷ and the Netherlands Antilles²⁴⁸.

In order to rectify this state of affairs, the Council presented to Parliament a draft decision, in essence identical to the Convention, designed to govern aid, trade and the right of establishment for the OCTs²⁴⁹. The European Parliament broadly endorsed the text, hoping that the Council would take account of the observations made in the report²⁵⁰. These related to specific aspects of the various articles, whereas in general terms reference was made to the delay in the draft decision, given that the previous Convention had expired on 31 December 1962, and to the fact that the Council had modelled the draft text more closely on the Yaoundé Convention than the Commission's proposal had done. This had scaled down the role of the Commission.

It is worth pointing out that two parallel associations for development cooperation came into being in this way: the Yaoundé Convention for cooperation with independent States on an equal footing, and the association with non-independent territorial entities, governed by the Council decision.

The Netherlands Antilles constituted a special case among the overseas countries and territories, both for certain institutional reasons and even more so because of a significant economic issue, which would subsequently necessitate particular international agreements. On 29 December 1954, a few years before the signing of the Treaty of Rome, the Kingdom of the Netherlands adopted a new Statute of the Realm dividing the country into three separate, autonomous parts: the Netherlands, Suriname and the Netherlands Antilles. Except for certain affairs, known as 'affairs of the Kingdom', each of the two Caribbean parts was entirely autonomous: when the Netherlands Council of Ministers needed to

²⁴⁶ This chapter examines cooperation with countries destined to accede to an ACP Convention at a later date, either because having not yet achieved independence they could not accede but enjoyed identical forms of cooperation to those provided for by the Convention (OCTs), or because, as members of the British Commonwealth, they were awaiting the United Kingdom's accession to the Community.

²⁴⁷ From 1 September 1962.

²⁴⁸ From 1 October 1964.

²⁴⁹ Council Draft Decision on the association of overseas countries and territories to the Community. Annex A to EP – Committee on Cooperation... – Report on Draft Decision of the EEC Council (Doc. 109) on the association of overseas countries and territories to the Community. Doc. 120/63. Rap: Metzger

²⁵⁰ EP resolution of 23 January 1964 embodying the European Parliament's opinion on Draft Decision of the EEC Council (Doc. 109) on the association of overseas countries and territories to the Community, OJ, 8.2.64, p.424. The report relating to this resolution is cited in the previous footnote.

examine affairs of the Kingdom it was joined by a Minister Plenipotentiary from each of the two Caribbean parts.

Consequently the Kingdom of the Netherlands did not consider itself able to ratify the Treaties of Rome for the two Caribbean parts. Annexed to the Final Act of the Treaties, therefore, is a *Protocol on the application of the Treaty establishing the European Economic Community to the non-European parts of the Kingdom of the Netherlands*, which authorises ratification by that Member State only for the European part and the dependency of Netherlands New Guinea²⁵¹, the only overseas territory of the Netherlands included in Annex IV of the EEC Treaty. A *Declaration of intent with a view to the association to the European Economic Community of Suriname and the Netherlands Antilles* was likewise signed at the same time as the Treaty, whereby the Member States *declare themselves ready, upon the entry into force of the Treaty and at the request of the Kingdom of the Netherlands, to open negotiations with a view to the conclusion of agreements on the economic association of Suriname and the Netherlands Antilles to the Community*.

The Netherlands availed themselves of this option on 20 July 1960, seeking recognition of the Netherlands Antilles and Suriname as overseas territories. Whereas no particular problems arose for the latter and it was added to the list on 1 September 1962, matters were more complicated for the Antilles owing to the refined petroleum products which constituted their principal economic activity and 99% of their exports. There would have been major implications for the equilibrium of the oil market of the Six if exports from the Antilles had been accepted as a benefit of association without any safeguard measures.

The negotiations were concluded on 13 November 1961, and on 6 February 1962 the Council approved a draft Convention amending the Treaty and a draft Protocol on imports of petroleum products refined in the Antilles²⁵². The Protocol establishes safeguard mechanisms consisting mainly in limiting the customs benefits of association to imports totalling a maximum of two million tonnes.

The Committee on Cooperation drew up a report on the two Council drafts followed by a resolution²⁵³ approving the texts while reiterating the comments made by the Committee.

The report voiced concern about how the Antilles, not an independent state, would be able to participate in the Association, which in 1962 was still designed solely for the Associated States, which **were** independent, and in particular about the fact that it was impossible for the Antilles Parliamentary Assembly to participate in the Parliamentary Conference, subsequently that of the Lomé Convention. Furthermore, the report pointed out that the Convention did not contain any provisions on financial cooperation. As concerns the Protocol on petroleum products, the report was critical of its safeguard mechanism, which ought rather to have been based on more extensive powers for the Community bodies.

²⁵¹ A possession in the Pacific, which in 1962 underwent a military invasion and annexation by Indonesia.

²⁵² Both texts were annexed to EP – Commission on Cooperation... – Report on The draft texts submitted by the EEC Council (Doc. 61) with a view to making the special association regime defined in the fourth part of the Treaty applicable to the Netherlands Antilles. Doc. 76/62. Rap: Angioy.

²⁵³ EP resolution of 19 October 1962 embodying the European Parliament's opinion on The draft texts submitted by the EEC Council (Doc. 61) with a view to making the special association regime defined in the fourth part of the Treaty applicable to the Netherlands Antilles, OJ, 12.11.62, p. 2674.

Following a fact-finding mission in September 1970, Parliament took stock of the situation after a few years of association²⁵⁴: the EEC had made a substantial contribution to the development of the Netherlands Antilles and Suriname, and the Commission should continue its efforts by drawing on the Development Fund, which ought to prioritise investment in agriculture and industry. However, whereas trade with Suriname had increased as a result of association, products from the Antilles were having difficulty in penetrating European markets: appropriate measures to overcome this problem were desirable.

2. The Association of overseas countries and territories and the Lomé Convention

When the Lomé Convention entered into force, the Commission recommended to the Council that, as from 1 July 1975, the customs arrangements enjoyed by the ACP countries be extended to the overseas countries and territories²⁵⁵, with the exclusion of certain agricultural products. Community exports to the OCTs would receive the same treatment as trade among the latter, without prejudice to the powers of the OCT authorities to impose customs duties, should it be necessary for their development and on the existing terms; alternatively, for the purpose of promoting regional cooperation, they could grant additional facilities to the other OCTs. This proposal, however, created a situation different from that envisaged by the Lomé Convention, which does not provide for special customs arrangements among ACP countries, but only between them and the Community²⁵⁶. The European Parliament²⁵⁷, while delivering a favourable opinion on the proposal, called for a slackening of the reciprocity principle so as to further align the customs arrangements proposed for the OCTs with those laid down by the Lomé Convention.

In keeping with Parliament's wishes and bearing in mind that some OCTs were about to obtain their independence and would probably accede to the Lomé Convention, the Commission proposed to the Council in that same year a Regulation renewing the Association with the overseas countries and territories, aligning its arrangements more closely with those of the ACP countries²⁵⁸. Certain industrial cooperation measures foreseen by the Lomé Convention were however excluded. In this case too the European Parliament²⁵⁹ welcomed the Commission's initiative, while noting the lack of rules on

²⁵⁴ EP resolution of 17 May 1971 on the Fact-finding and information mission undertaken from 4 to 11 September 1970 in the Netherlands Antilles and Suriname, OJ C 55, 3.6.71, p. 4, and EP – Committee on Relations... – Report on Fact-finding and information mission undertaken from 4 to 11 September 1970 in the Netherlands Antilles and Suriname. Doc. 26/71. Rap: Bersani.

²⁵⁵ On the accession of the United Kingdom to the Community, the British overseas territories outside of Europe were added to the list of OCTs: Belize, Bermuda, Brunei, the Associated States in the Caribbean (Antigua, Dominica, St Lucia, St Vincent, St Christopher, Nevis and Anguilla), Cayman Islands, Falkland Islands and dependencies, Gilbert and Ellice Islands, Central and Southern Line Islands, British Solomon Islands, Turks and Caicos Islands, British Virgin Islands, Montserrat, Pitcairn, St Helena and dependencies, The Seychelles, British Antarctic Territory, British Indian Ocean Territory and the Anglo-French Condominium of the New Hebrides.

²⁵⁶ EP – Committee on Development... – Report on the Recommendation of the EC Commission to the Council (Doc. 109/75) concerning a regulation on the interim trade arrangements with the overseas countries and territories associated to the EEC. Doc. 131/75. Rap: Bersani

²⁵⁷ EP resolution of 19 June 1975 embodying the European Parliament's opinion on the Recommendation of the EC Commission to the Council (Doc. 109/75) concerning a regulation on the interim trade arrangements with the overseas countries and territories associated to the EEC, OJ C 157, 14.7.75, p. 32.

²⁵⁸ EP - Committee on Development...- Report on the communication from the EC Commission to the Council (Doc. 43/75) on relations between the EEC and the associated overseas countries and territories (OCTs). Doc. 280/75. Rap: Deschamps

²⁵⁹ EP resolution of 19 June 1975 embodying the European Parliament's opinion on the communication from the EC Commission to the Council on relations between the EEC and the associated overseas countries and territories (OCTs), OJ C 257, 30.11.75, p. 27.

industrial cooperation and hoping that it would be possible to disburse industrial funds as part of financial and technical cooperation.

In parallel with the signing of the Lomé II Convention, the Council adopted a decision extending its benefits to the OCTs. They were thus put on a completely equal footing, removing certain limitations of the previous decision concerning the transition to the Convention of OCTs about to gain their independence. In particular, a Joint Declaration annexed to the Convention²⁶⁰ extended the application of the Lomé II provisions on trade and trade promotion to the overseas departments, which could thus freely obtain supplies from the nearest ACP countries²⁶¹. The European Parliament issued a favourable opinion on the decision²⁶².

3. The overseas countries and territories in the era of the Lomé IV Convention

The Commission put forward measures granting the OCTs arrangements broadly identical to those of the ACP countries, on the grounds that their lack of independence alone prevented them from acceding to the Convention. In 1991 there were 20 OCTs: eleven British, six French, two belonging to the Netherlands and one Danish. Their total population was 900 000 inhabitants, half of them concentrated in the six French OCTs. Their common characteristic was insularity, whereas their economic circumstances differed significantly.

The European Parliament approved the Commission's proposal²⁶³. The accompanying report dwelt on problems that had arisen in respect of financial and technical cooperation, where expenditure was somewhat slow owing to the lengthy planning phase. Another problem raised was how completion of the single market would affect the OCTs.

A few years later, the European Parliament, which had always supported a regional approach to development issues, undertook an overall review of all the territorial entities, ACP countries, overseas countries and territories, as well as those known as the 'outermost regions' which were located outside of the European continent and had links of various kinds with the Union²⁶⁴. In essence, the term 'outermost regions' means those territorial outposts which, small islands for the most part, are usually described in French institutional terminology as *overseas departments*: they are an integral part of the Union from a legal point of view, but separated from the European continent by long distances. Their fundamental characteristic is that they exist within a non-European economic context, with which they interact much more than they do with the 'metropolitan' part of

²⁶⁰ Joint Declaration on the arrangements for access to the markets of the French overseas departments for products originating in the ACP States referred to in Article 2, paragraph 2 of the Convention, Annex II of the Final Act.

²⁶¹ The Council Decision on the OCTs was the subject of EP – Committee on Development and Cooperation - Report on... (II) the Commission proposal for a Council decision (Doc. 1-700/80) on the association of the overseas countries and territories with the EEC. Doc. 1-559/80. Op. cit.

²⁶² EP resolution of 21 November 1980 embodying the European Parliament's opinion on... (II) the Commission proposal for a Council decision (Doc. 1-700/80) on the association of the overseas countries and territories with the EEC. Op. cit.

²⁶³ EP resolution of 14 June 1991 embodying the European Parliament's opinion on the Commission proposal for a Council decision on the association of the overseas countries and territories with the European Economic Community, OJ C 183, 15.7.91, p. 473 following on from the report of the Committee on Development with the same title. Doc. A3-159/91. Rap: Saby.

²⁶⁴ EP resolution of 11 February 1999 on Relations between the overseas countries and territories (OCTs), the ACP States and the outermost regions, OJ C 150, 28.5.99, p. 439 following on from the report of the Committee on Development with the same title. Doc. A3-36/99. Rap: Aldo.

the Union. The European Parliament's line of thinking in this regard is clearly expressed in paragraph 2 of the resolution:

... stresses the relevance, in the current context of the establishment of powerful regional blocs, of strong partnership relations and lively cooperation between the outermost regions, the OCTs and the ACP countries, in the interests of the harmonious development of all the partners and their ongoing integration into world trade, always respecting each one's specific characteristics and legitimate interests.

Since the deadlines for the renewal or revision of the rules governing relations of all three categories with the Community broadly overlapped, the European Parliament looked for a coordinated, logical approach. It called in particular for the outermost regions and the OCTs to be properly involved in the decision-making process concerning the Community actions and the provisions affecting them; it regretted that they had not been consulted before the mandate to negotiate the renewal of the Lomé Convention was adopted. Parliament hoped that an express reference would be made in the Convention to the outermost regions and the OCTs within the overall EU-ACP relationship. In future, regional ACP-EU agreements must take account of the outermost regions and OCTs in the region.

As concerns trade, Parliament's resolution called for a differentiated implementation, in respect of products originating in or introduced into the outermost regions, of ACP-EU commercial agreements and of the OCT-EU association agreements, in order to reciprocally open up the markets of all three categories in a given region.

4. The beginning of cooperation with other African nations

The Yaoundé Convention was concluded between the European Community and African countries having particular links with one of the Member States, but the 1960s also saw the independence of many African countries linked to the British Commonwealth. During the negotiations for accession of the United Kingdom to the Community in the early 1960s, the London Government had suggested to the Six that a proposal of association be made to the independent Commonwealth countries so as to regulate their situation prior to UK accession. This initiative came to nothing owing to the breaking off of negotiations, but at the time of signing the Yaoundé Convention the Six made public a declaration of intent whereby they

declare themselves favourably disposed towards seeking, through negotiations with third countries which submit a request and whose economic structure and production are comparable with those of the Associated States, the conclusion of agreements liable to result in one of the following formulae:

- *accession to this Convention, under the procedure set out in Article 58 of the Convention;*
- *association agreements entailing reciprocal rights and obligations, in particular in the field of trade;*
- *commercial agreements aimed at facilitating and developing trade between the Community and this country*²⁶⁵.

The second formula provided for a free trade agreement and operated within the GATT framework, while the third type of agreement fell within the system of preferences already applied by the Community.

Two months after this declaration was made, Nigeria submitted a memorandum requesting the opening of negotiations for the conclusion of a commercial agreement²⁶⁶. Tanganyika, Uganda and Kenya also submitted similar requests²⁶⁷.

5. The Agreement with Nigeria

Nigeria's interest in concluding an agreement was firmed up in the course of the meetings held in the wake of the memorandum. Initially the Lagos Government stated that it was interested in tariff advantages enabling it to maintain outlets for its cocoa and oilseed products; thereafter Nigeria's interest shifted to the second formula outlined by the declaration of intent. Despite opposition from the United States and the United Kingdom, concerned primarily for reasons of principle about the creation of a new preferential area, the Agreement was concluded on 16 July 1966 on the basis of Article 238 of the Treaty, which provides for the conclusion of association agreements with third countries based on a unanimous decision of the Council and after consultation of the European Parliament.

A compromise was introduced into this procedure, regarded by the European Parliament as unsatisfactory, making provision for an exchange of views with the Council in the parliamentary committees responsible. That is what happened for the Agreement with Nigeria a few days before it was signed²⁶⁸. At the meeting the Council President, Mr De Block, explained the nature of the Agreement: it differed from the Yaoundé Convention, taken as a model, in that financial and technical cooperation did not feature, trade preference was more limited, with reciprocity for the Community restricted to just a few products²⁶⁹, and lastly the preference granted to Nigeria was subject to a quota system. Thus the Agreement related to trade, the right of establishment and movements of capital. On the trade front, European imports from Nigeria were subject to the same customs arrangements as those

²⁶⁵ The declaration was approved by the Council at its 100th session on 1-2 April 1963 and it was annexed to the reply to written question No 81/63 by Schuijt, OJ 181/63, p. 50; it is also available in CARDOC PE0 AP QP/QE E-0081/63 0030 and was reproduced in part in EP – Committee on Cooperation... - Report on the Agreement establishing an Association between the European Economic Community and the Republic of Nigeria and annexed documents. Doc. 134/66. Rap: Moro, on the basis of which this paragraph has been drafted.

²⁶⁶ The memorandum, dated 10 September 1963, is annexed to EP - Committee on Cooperation... - Report on the Agreement establishing an Association between the European Economic Community and the Republic of Nigeria... Doc. 134/66. Op. cit.

²⁶⁷ Reply to written question No 81 by Schijt... Op. cit.

²⁶⁸ EP - Committee on Cooperation..., Committee on Political Affairs, Committee on External Trade – Minutes of the joint meeting of 11 July 1966; CARDOC PE0 AP PV/DEVE.1961 DEVE-19660711 PM 0010.

²⁶⁹ 26 products covering 9% of the Community's exports to Nigeria.

foreseen by the Yaoundé Convention, with certain exclusions and the introduction of quantitative quotas. In respect of establishment, payments and movements of capital, the Agreement with Nigeria goes further than the Yaoundé Convention.

From an institutional point of view, the Agreement with Nigeria made provision only for an Association Council, modelled on Yaoundé, but not for a standing committee or a secretariat. There was also an arbitration body. As for parliamentary cooperation, all that was envisaged was a facilitation of contacts between the European Parliament and the Nigerian Assembly. The Agreement scheduled a review two years after its entry into force.

In actual fact, as the report pointed out²⁷⁰, there were also institutional differences in that the Agreement had been simplified as compared with the Yaoundé Convention and in particular lacked a parliamentary body. The report nonetheless emphasised its merits as a model for the other similar negotiations then underway, especially with Kenya, Tanzania and Uganda. Parliament approved the Agreement²⁷¹, endorsing its Committee's comments and hoping for a rapid entry into force²⁷².

The signing of the Agreement with Nigeria coincided with the start of a lengthy period of disorder there: two military coups took place in 1966; then came the secession of Biafra in 1967, which ended in bloodshed only in 1970. The Agreement never entered into force.

6. The Agreement with Kenya, Tanzania and Uganda (Arusha Agreement)

Negotiations with the three countries forming the East African Community (EAC)²⁷³ to reach what was the first agreement concluded between two multinational communities proved more complex. The three countries submitted a joint request in November 1963: right from the start of the talks they favoured an agreement corresponding to the second formula contained in the declaration of intent of the Six, the same choice as Nigeria. However, in the course of the negotiations, in 1965, they rejected the notion of reciprocal trade facilities. The matter was resolved in 1966 by establishing the principle of 'dual membership', whereby the three countries belonged to two different preferential areas: the Commonwealth and the area to be established by the Arusha Agreement, the same solution as for Nigeria.

Thus the Arusha Agreement was arrived at²⁷⁴, its structure basically identical to the one drawn up with Nigeria. As concerns trade, imports into the Community from the three East African Community countries were subject to the customs arrangements of the Yaoundé Convention, with quantitative quotas for coffee, cloves and canned pineapple, so as to protect the Associated States. With respect to reciprocity for Community exports,

²⁷⁰ EP - Committee on Cooperation... - Report on the Agreement establishing an Association between the European Economic Community and the Republic of Nigeria... Doc. 134/66... Op. cit.

²⁷¹ EP resolution of 30 November 1966 on the Agreement establishing an Association between the EEC and the Republic of Nigeria and annexed documents, OJ, 16.12.66, p. 3910.

²⁷² The Agreement was in the process of being ratified by the Member States and Nigeria.

²⁷³ East African Community (EAC). This regional organisation brought together the three countries at the time when the Agreement with the EC was signed (26 July 1968); the negotiations had begun with its predecessor, the East African Common Services Organisation, operational from 1961 to 1967.

²⁷⁴ The United States expressed reservations about this Agreement too.

the fiscal advantages were confined to 59 products representing 15% of the Community's exports. Regarding the right of establishment, the Arusha Agreement was aligned with the one with Nigeria, whereas as concerns payments and capital movements it went less far than the Yaoundé Convention.

In institutional terms, the Agreement made provision for an Association Council with the related standing committee, an arbitration body and a Parliamentary Committee comprising nine Parliamentarians from the three African countries and an equal number of Members of the European Parliament²⁷⁵.

The report²⁷⁶ expressed a favourable opinion on the Agreement, pointing out that it could also play a positive role for the Associated States by encouraging dialogue between French-speaking and English-speaking Africa. More generally, the extension of preferences to 22 African countries with 136 million inhabitants was deemed positive. The European Parliament²⁷⁷ endorsed this favourable opinion and the comments made by its Committee, hoping that when it expired on 31 May 1969 the Agreement would be renewed for a term coinciding with that of the Yaoundé Convention.

In actual fact the Agreement never entered into force owing to ratification delays, but it nevertheless constituted a sound basis for the renewal which began to be discussed at the end of January 1969, when a European Parliament mission visited the East African Community. During talks with the principal parliamentary leaders of the EAC and its three Member States, the question arose as to whether, under the new Agreement, the African counterparts should continue to be third countries or should be Associated States. The African side favoured the second option and asked to be put on the same footing for trade purposes as the Associated States on the grounds that, in the course of two parallel sets of association negotiations, neither of the two groups of countries could claim protection from the other, as implicitly happens under the existing Arusha Agreement in favour of the Associated States²⁷⁸. The European Parliament²⁷⁹ pressed for the Agreement to enter into force and, hoping that the association arrangements for Africa would be harmonised at the time of the renewal, broadly endorsed the stance of the East African States on this issue.

²⁷⁵ All that exists in respect of this Committee in the acts of the EP Committee on Development and Cooperation is a report and a resolution on the first meeting, held in Nairobi on 27 and 28 November 1972. That meeting centred on the relations between the enlarged European Community, in particular with the accession of the United Kingdom, and the African countries. The debate focused especially on the offer of association extended by the Community to the independent Commonwealth States. The resolution of the Parliamentary Committee, annexed to the report cited below, alludes to the additional responsibility being assumed by the EEC in respect of the African States for which, after enlargement, the EEC would be the main outlet for their exports. The European Parliament supported the stance of the African Committee and held that the East African States must play a key role in the preparation and conduct of the forthcoming negotiations on the renewal of the Association between the EEC and the African countries, as well as in seeking common positions between the Associated States and the countries eligible for association (the Commonwealth countries). EP resolution of 10 May 1973 on the resolution of the Parliamentary Committee of the EEC-East Africa Association adopted in Nairobi on 28 November 1972, OJ C 37, 4.6.73, p. 51 following on from EP - Committee on Development...- Report on the resolution of the Parliamentary Committee of the EEC-East Africa Association adopted in Nairobi on 28 November 1972 (Doc. 255/72). Doc. 3/73. Rap: Bersani.

²⁷⁶ EP - Committee on Relations... - Report on the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya and annexed documents (Doc. 117/68). Doc. 136/68. Rap: Moro

²⁷⁷ EP resolution of 1 October 1968 on the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, OJ C 108, 19.10.68, p. 25.

²⁷⁸ EP - Committee on Relations... - Report on the mission undertaken from 17 to 20 February 1969 by an EP delegation to the East African Community in Arusha. Doc. 226/68. Rap: Bersani

²⁷⁹ EP resolution of 10 March 1969 on the mission of a European Parliament delegation to the East African Community, OJ C 41, 1.4.69, p. 4.

The new Arusha Agreement was finally signed on 24 September 1969 and scheduled to expire on 31 January 1975, concomitant with the expiry of Yaoundé II. The new text essentially reproduced the previous one, thus excluding technical and financial assistance but with certain improvements for the African States, now Associated, as concerns trade. The report²⁸⁰ delivered a favourable verdict on the Agreement, noting:

...It is worth pointing out that, in many respects, the new Agreement constitutes progress as compared with the 1968 Agreement. Despite the anomaly of the 'dual membership' of East Africa in the preference systems of the Commonwealth and of the EEC, the structure of the Arusha Agreement appears reasonably well-balanced²⁸¹.

Parliament endorsed the conclusions of its Committee²⁸², regretting the failure to include technical and financial assistance in the Agreement and recommending that the activities and structures of the two African Associations be coordinated.

7. Procedural problems

The agreements with African countries outside of the Yaoundé Convention²⁸³ posed common problems as concerns the procedure followed for their conclusion. The legal basis was Article 238 of the EEC Treaty, relating to associations, the second paragraph of which stipulates: *These agreements shall be concluded by the Council, acting unanimously and after consultation of the European Parliament.*

A difference of interpretation arose between the Council and Parliament as regards its consultation. The former believed that consultation consisted of a mandatory opinion required to complete the procedure, and that the opinion needed to be expressed on the agreed text, between the initialling and the signing of the agreement. Parliament, for its part, claiming that its specific representative function went beyond the letter of the Treaty, interpreted its consultation – in the absence of fully-fledged powers to ratify international treaties – as an act that preceded the initialling process: it must therefore take place during the course of the negotiations so as to influence their outcome and hence the text to be initialled.

²⁸⁰ EP - Committee on Relations... - Report on the Association Agreement between the EEC and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya and annexed documents (Doc. 133/69). Doc. 175/69. Rap: Bersani

²⁸¹ Ibid., paragraph 47.

²⁸² EP resolution of 9 December 1969 on the Association Agreement between the EEC and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, OJ C 2, 8.1.70, p. 6.

²⁸³ The procedural problems described here also applied to the Agreements with the Maghreb countries and Egypt, covered elsewhere.

The Committee on Political Affairs had proposed a compromise to overcome this difference of opinion when examining the Association Agreement with Turkey²⁸⁴. It was accepted by the Council and applied for the first time, not altogether satisfactorily, to the Agreement with Nigeria: an exchange of views between the parliamentary committee responsible and the Council before the signing of the Agreement²⁸⁵. The same procedure was followed for the Agreement with the East African States²⁸⁶ and for the one with Morocco and Tunisia²⁸⁷.

²⁸⁴ Commonly known as the 'Luns procedure', subsequently amended by Westertherp.

²⁸⁵ The difference of opinion and the compromise are described in EP – Committee on Cooperation... - Report on the Agreement establishing an Association between the European Economic Community and the Republic of Nigeria...Doc. 134/66. Op. cit.

²⁸⁶ EP - Committee on Relations..., Committee on Political Affairs, Committee on External Relations – Analytical minutes of the joint meeting on 4 July 1968.

²⁸⁷ EP - Committee on Relations..., Committee on Political Affairs, Committee on External Relations – Summary record of the joint meeting on 18 March 1969.

PART II
COOPERATION AGREEMENTS OTHER
THAN THE ACP CONVENTIONS

CHAPTER IX

COOPERATION WITH LATIN AMERICA AND ASIA

1. Community programmes for non-associated developing countries

As well as participating in UNCTAD conferences and activities and other international initiatives²⁸⁸, the Community launched a four-year programme of financial and technical cooperation with the developing countries. The European Parliament delivered a favourable view in this regard²⁸⁹, focusing its attention mainly on the issue of food and hoping that priority would be given to rural development and food crops. The resolution agreed with the concentration of aid, at least 84% of which should consist of donations to the poorest countries, but called for flexible distribution criteria to ensure optimum results. As concerns management, Parliament concurred that initiatives needed to be direct for the most part, but it believed that the aid could be also disbursed through organisations where these were effective and ensured greater efficiency.

A subsequent report²⁹⁰ took stock of the situation. Thanks in part to the insistence of the European Parliament, Community appropriations rose from ECU 20 million in 1976 to 150 million in 1981, making it possible between 1976 and 1979 to finance 102 projects in favour of 21 countries and 13 organisations; the number of recipient countries also increased, going up from 6 to 15 in 1980.

With regard to geographical distribution, the bulk of the appropriations went to Asia, whose share fell from 90% of those for 1976 to 73% in 1980. There was a significant concentration in the Indian subcontinent, which received two thirds of all appropriations in 1976 and thereafter around half. The percentage of appropriations allocated to Latin America was more constant: approximately a fifth of the total every year. The proportion granted to Africa was limited to 5%, as it received most of the appropriations made under the Lomé Convention and consequently was the largest overall beneficiary of Community aid. Rural development, taking up 24% of the total resources earmarked for development, constituted a fundamental objective.

The report sought to explore the project selection criteria to find a common denominator which, following a detailed survey of Community and non-Community documents and other literature on the topic, proved to be poverty.

The resolution²⁹¹ supported a global cooperation policy in favour of the poorest social strata of the least developed countries; to this end there was a need for an ongoing financial commitment laying down a substantial annual rate of increase in the appropriations. The

²⁸⁸ See Part Three.

²⁸⁹ EP resolution of 16 June 1975 embodying the European Parliament's opinion on the communication of the EC Commission to the Council (Doc. 38/75) on Community financial and technical assistance for the non-associated developing countries 1976-1980, OJ C 157, 14.7.75 following on from the report of the Committee on Development with the same title. Doc. 133/75. Rap: Härzschel.

²⁹⁰ EP - Committee on Development... - Report on the EC Commission proposal to the Council on the general guidelines for the 1982 programme of financial and technical cooperation with the non-associated developing countries (Doc. 1-818/81) and on Community financial and technical aid to non-associated developing countries. Doc. 1-819/81. Rap: Enright.

²⁹¹ EP resolution of 18 December 1981 embodying the European Parliament's opinion on the EC Commission proposal to the Council on the general guidelines for the 1982 programme of financial and technical cooperation with the non-associated developing countries and on Community financial and technical aid to non-associated developing countries, OJ C 11, 18.1.82, p.195.

point of view expressed in the resolution, which was incorporated in its entirety into the draft general guidelines for 1985, is clearly summarised in the report on the guidelines:

- *generally speaking, aid shall be channelled towards the poorest developing countries (while endeavouring to ensure a reasonable geographical balance),*
- *aid shall be directed principally towards the most needy strata of the population in the countries concerned,*
- *particular importance shall be attached to rural development and food production,*
- *participation in regional projects may be envisaged,*
- *part of the aid shall be reserved for emergencies, in particular for projects aiming to promote post-disaster reconstruction²⁹².*

These criteria were maintained for 1986, when the accession of Mozambique to the Lomé Convention meant that the entire African continent left the programme for non-associated countries, which from then on was geared solely to Latin America and Asia. The breakdown of aid had by now reached the following percentages: 75% for Asia, 20% for Latin America and 5% for Africa. Parliament's resolution on the general guidelines for 1986²⁹³ approved the Commission's decision to place the amount already earmarked for Africa in a reserve fund to be allocated to *interesting projects*, especially in the sphere of rural development and food production. Parliament's overall verdict on the general guidelines was favourable, while insisting that assistance for Central America must meet in full the commitments made in the cooperation agreement of 12 November 1985²⁹⁴: this aid needed to be additional to that included in the programme. The European Parliament furthermore regretted the lack of funding for assistance to Thailand and Indonesia, which had signed an agreement on voluntary restrictions on manioc exports.

2. Development cooperation with Asia and Latin America (1985-1988)

The enlargement of the European Community to take in Spain and Portugal gave added importance to relations with Latin America. Parliament devoted a wide-ranging debate to that subcontinent on the basis of three reports, including a motion for a resolution from the Committee on Development²⁹⁵. It began with a negative assessment of the region's

²⁹² EP - Committee on Development... - Report on the Commission proposal for a Council decision (Doc. 2-801/84 - COM(84) 526 final) setting out the general guidelines for 1985 in respect of financial and technical assistance for the non-associated developing countries. Doc. 2-1334 /84. Rap: Germeur.

²⁹³ EP resolution of 21 February 1986 on the Commission proposal for a Council decision setting out the general guidelines for 1986 in respect of financial and technical assistance for the non-associated developing countries, OJ C 68, 24.3.86, p. 187 following on from the report of the Committee on Development with the same title. Doc. A2-222/85. Rap: Pery.

²⁹⁴ In the run-up to this agreement, signed in Luxembourg, and following the San José Conference at which it was drawn up by the ministers of the Ten, of the two countries applying for accession (Spain and Portugal) and those of the Central American Common Market and the Contadora Group, the European Parliament approved the resolution of 13 June 1985 on the Draft Cooperation Agreement between the European Community and Central America, following on from the report of the Committee on External Economic Relations. Doc. A2-42/85. Rap: Wiczorek-Zeul. The Central American Common Market, established in 1960, comprised Costa Rica, Guatemala, Honduras, Nicaragua and El Salvador; the Contadora Group, established in 1983, comprised Colombia, Mexico, Panama and Venezuela.

²⁹⁵ The debate took place on 13 June 1985, OJ Annex 2-327, p. 237. Two reports were submitted by the Committee on External Economic Relations: The draft cooperation agreement between the European Community and Central America, Doc. A2-42/85, Rap: Wiczorek-Zeul; and The economic relations between the European Community and Latin America, Doc. A2-45/85, Rap:

economic situation: a high level of debt, with interest payments consuming 35% of export revenue, which had moreover fallen by 10% in the previous four years, the same percentage as that of the fall in per capita income.

This assessment was a summation of very different, but uniformly negative, national circumstances requiring a differentiated approach from the Community, whose assistance to the region had until then been meagre. With regard to increasing that assistance, the resolution recalled the full range of Community financial instruments available and set out the usual priorities of Parliamentary resolutions on development policy: rural development, a regional approach and environmental protection.

Given Latin America's industrial development, greater in relative terms than that of developing countries in other parts of the world, the resolution also looked at take-up of the generalised system of preferences, which not all countries in the region were making use of; it called for Community efforts to broaden awareness of the advantages conferred on each of these countries by the GSP. Another specific problem was the difficulties experienced by South American firms in accessing investment capital: since these difficulties arose mainly on account of the foreign debt owed by their respective governments, there was a need both for direct financing through the EIB and indirect financing through the granting of global loans to local banks, and also for a commitment by Member States to find a solution to the debt problem in the context of the International Monetary Fund.

Under the general guidelines for 1987, the developing countries benefiting from the programme were no longer designated by the generic term *non-associated*, which some people considered *almost pejorative*²⁹⁶, but by the geographical label *Asia and Latin America*. The European Parliament resolution²⁹⁷ expressed satisfaction at this innovation, but regretted the reduction in appropriations due to insufficient take-up in previous years. It was particularly critical of the situation in 1986 when, despite an acceptable take-up (82%) of payment appropriations, that of commitment appropriations was only 59%, with a carry-over of ECU 186.6 million. It blamed the Commission for this state of affairs, while acknowledging that inadequate staffing of the programme was partly responsible. Based on the comments on Article 930 of the general budget relating to the programme, the resolution called for a breakdown of *similar proportions* in the appropriations between the two geographical areas benefiting from it, so as to allow for an increase in assistance to the poorest countries in Latin America without this happening to the detriment of Asia, given the level of poverty existing in many countries there.

The question of the breakdown between the two areas arose again in the following year's report²⁹⁸, albeit from a slightly different perspective than that examined above, not

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 van Aerssen. The report of the Committee on Development, which was presented orally, was Relations between the European Community and Latin America from a development perspective. Doc. A2-44/85, Rap: McGowan.

²⁹⁶ EP - Committee on Development... - Report on the Commission proposal for a Council decision (Doc. C 2-142/86 - COM(86) 568 final) determining the general guidelines for 1986 concerning financial and technical aid to Latin American and Asian developing countries. Doc. A2-247/86. Rap: Simpson.

²⁹⁷ EP resolution of 13 March 1987 closing the procedure of consultation of the European Parliament on the Commission proposal for a Council decision determining the general guidelines for 1987 concerning financial and technical aid to Latin American and Asian developing countries, OJ C 99, 13.4.87, p. 216.

²⁹⁸ EP - Committee on Development... - Report on the Commission proposal for a Council decision (COM(87) 531 final - Doc. C2-277/87) determining the general guidelines for 1988 concerning financial and technical aid to Latin American and Asian developing

least owing to a radical change in the setting of end-use constraints: two reserves were established, one of 6% to cope with disasters and one of 3% to cover costs. Out of the remaining 91% a third reserve was created: this amounted to a tenth, and was allocated to financing the November 1985 Agreement with Central America. Thus the proportions earmarked for Asia and Latin America, 75% and 25% respectively, applied to 81.9% of the total. The rapporteur, having recalled the resolution of 13 March 1987 and in particular the paragraphs calling for a rebalancing of the proportions allocated to the two areas, distanced herself from it, pointing out that the Asian countries were much poorer and had greater needs. However, the European Parliament resolution²⁹⁹ did not endorse the report: it confirmed the principle of *similar proportions* and established shares of 65% for Asia and 35% for Latin America.

The report was significant on account of its observations, not taken up in the resolution, about the execution of the previous years' programmes. The shortcomings in execution were attributed mainly to the Commission's arrangements: its offices in the beneficiary countries had no – or not enough – development experts available, and were geared more to political and commercial objectives. Finally, the Directorate-General responsible for the programme was inadequately staffed.

A few months later the European Parliament returned to cooperation issues with a detailed own-initiative resolution³⁰⁰ establishing the principle of differentiated cooperation according to each region's specific characteristics and, wherever possible, that of promoting joint ventures between Community and local firms; it expressed satisfaction that some recent agreements concluded between the Commission and the international financial institutions went along these lines. Nevertheless, the Community still needed to set up its own instrument for lending to developing countries in Latin America and Asia: to this end, the Commission was asked to carry out the necessary studies to assess whether the duties of the EIB should be expanded or whether a bank specifically devoted to such lending should be founded.

In the background there still remained the serious problem of debt in Latin American countries, which differed from that of African countries – lower in absolute terms, moreover – in that the money was primarily owed to private banks and the debtors' repayment capacity was greater. It was however important that repayment obligations did not hamper the debtor countries' economic growth, and to this end Parliament called on the Community and its Member States to use their good offices for the purposes of restructuring the debt of Latin American countries.

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countries. Doc. A2-277/87. Rap: Daly.

²⁹⁹ EP resolution of 11 February 1988 embodying the European Parliament's opinion on the Commission proposal for a Council decision (COM(87) 531 final - Doc. C2-277/87) determining the general guidelines for 1989 concerning financial and technical aid to Latin American and Asian developing countries, OJ C 68, 14.3.88, p. 77.

³⁰⁰ EP resolution of 27 October 1988 on the European Community's cooperation with the developing countries in Asia and Latin America, OJ C 309, 5.12.88, p.110 following on from the report of the Committee on Development with the same title. Doc. A2-222/88. Rap: Daly.



Mother feeding her child in the street. The accession of Spain and Portugal in 1986 led to an increase in aid to Latin America, with a corresponding decline in aid for Asia.

3. Development cooperation with Asia and Latin America (1989-1994)

After the October resolution, that of December on the general guidelines for 1989³⁰¹ was confined to reiterating Parliament's stance, tabling an amendment which led to conflict with the Commission in the following year:

The Commission shall, in the course of 1989, propose the implementation of a fully-fledged cooperation strategy based on multi-annual programmes catering for the specific needs of these two regions of the world, setting out a framework of actions tailored to the different situations of groups of countries on these two continents and endowed with adequate financial resources.

The Commission did not take up this amendment, and the Committee on Development proposed on two occasions that Parliament should reject the guidelines for 1990³⁰² for reasons set out in both reports as follows:

Tabling amendments to the Commission's proposal is a difficult task given the fact that it is a document consisting of five articles which does not really get to the root of the problems in these two regions of the world, on account of its extremely vague wording. Indeed, it does not contain the slightest reference to issues such as protection of the environment, the role of women, integration of the cooperation instruments, the 'informal' sector, the urban sector, indigenous peoples, NGOs, coordination of Community assistance with that of the Member States, regional integration issues... and the list could be much longer.

These criticisms also featured in the third report³⁰³, which did however propose that the Commission's proposal be accepted without amendment, for reasons explained by the rapporteur in the Chamber³⁰⁴: the persistence of the Committee on Development had persuaded the Commission to publish much more thorough multi-annual guidelines than in the past. Although these had no legal status, they did represent a step forward, enabling Parliament to approve the Commission's text with an amendment formalising the undertaking made by the Commission:

whereas the Commission has proposed to the Council and to the Parliament that these guidelines should henceforth be founded on a multi-annual basis for 1991-1995 and whereas the Council has already begun work on the communication from the Commission.

³⁰¹ EP resolution of 16 December 1988 embodying the European Parliament's opinion on the Commission proposal for a Council decision determining the general guidelines for 1989 concerning financial and technical aid to Latin American and Asian developing countries, OJ C 12, 16.1.89, p. 366 following on from the report of the Committee on Development with the same title. Doc. A2-276/88. Rap: Crusol.

³⁰² EP - Committee on Development... - General guidelines for 1990 in respect of financial and technical assistance for the developing countries in Asia and Latin America. Doc. A3-112/89 and A3-11/90 (second report). Rap: van Putten. Parliament did not formally reject the Commission's proposal when referring the report back to the Committee.

³⁰³ Report with the same title as those cited in the previous footnote. Doc. A3-151/90. Rap: van Putten, followed by the resolution of 14 June 1990, OJ C 175 of 16.7.90, p. 174.

³⁰⁴ EP Debates of the European Parliament – sitting of 12.6.90 in Annex to OJ 3-391, p.124.

Another criticism emerged in the reports on the guidelines for 1990 in relation to the basic regulation on development aid for countries in Latin America and Asia dating from 1981³⁰⁵, regarded as an inadequate basis for readjusting aid in line with the changed circumstances in the beneficiary countries and the wishes of the European Parliament, first and foremost the definition of multi-annual guidelines. In response to this criticism the Commission proposed a new regulation ranging from technical and financial cooperation to economic cooperation. The verdict of the Committee on Development was favourable on the whole:

The new Regulation constitutes significant progress on the substance since it facilitates the carrying out of other initiatives and authorises assistance and cooperation in respect of the environment, women, demographic issues, the fight against drugs, etc. The first article stresses the importance of promoting human rights³⁰⁶.

The draft Regulation did however come in for criticism from a technical point of view, and Parliament put forward several amendments³⁰⁷ highlighting the initiatives it supported.

Two years after the 1992 Regulation³⁰⁸ entered into force, the Committee on Development carried out a review of cooperation with the Asian and Latin American countries³⁰⁹. Forty countries with 3.5 billion inhabitants were affected in these two regions which, between them, had received ECU 4 711 million by way of technical and financial cooperation from 1976 to 1989, while economic cooperation had amounted to ECU 217 million. The latter had been facilitated by the 1992 Regulation, which had also made it possible to extend the coverage to other significant areas such as human rights, the fight against drug trafficking and the environment. The circumstances of the two regions, Asia and Latin America, were however very different, as were their approaches to problems such as human rights, which had improved considerably in Latin America but were still subordinate to economic growth in Asia. By the same token, Latin America was more integrated than Asia as regards regional cooperation, which was much more a matter for the Member States than for the Union, although ASEAN was beginning to gain credibility as it took its first steps towards a customs union.

Parliament's resolution stressed the need for a new agreement with ASEAN addressing the issue of human rights and democratisation. As concerns aid, it pointed out that 80% of the projects and 70% of the funds disbursed by way of technical and financial cooperation had until then related to rural development, whereas almost all the countries in both regions had by now solved their problems in that sphere; the time had therefore come to focus on economic and commercial cooperation. To that end, the Member States were invited to encourage public and private investment, thereby promoting industrial, scientific and technical cooperation. The resolution calls on the Commission to strengthen

³⁰⁵ Regulation (EEC) No 442/81.

³⁰⁶ EP - Committee on Development...- Report on the proposal for a Council regulation concerning financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America (DCLAA) Doc. A3-218/91. Rap: Ruiz-Gimenez Aguilar.

³⁰⁷ EP resolution of 10 September 1991 on the proposal for a Council regulation concerning financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America (DCLAA), OJ C 267, 14.10.91, p. 35.

³⁰⁸ Council Regulation (EEC) No 443/92 of 25 February 1992 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America, OJ L 52, 27.2.1992, p. 1, entry into force on 22 February 1992.

³⁰⁹ EP - Committee on Development...- Report on cooperation with the developing countries in Latin America and Asia (DCLAA). Doc. A3-218/94. Rap: Miranda de Lage, who proposed the EP resolution of 22 April 1994 with the same title, OJ C 128, 9.5.94, p. 448.

its representations in the two regions, both by equipping them with adequate operating resources and by endowing them with decision-making powers; the central system for assessing and monitoring projects should also be further developed.

4. Stabilisation of export earnings for the least developed countries in Asia and Latin America

Alongside development assistance *per se*, there was also the problem, as for Stabex in the context of the Lomé Convention, of guaranteeing the earnings of the least developed countries not party to that Convention. In order to meet this need, the Commission proposed in 1986 an instrument similar to the one already applying to the ACP countries but with a few major differences: this was a unilateral Community measure relating solely, with no derogations possible, to exports from the beneficiary countries to the Community. A group of eight Asian and one Caribbean countries were eligible for the scheme: Afghanistan, Bhutan, the Maldives, the two Yemeni Republics, Bangladesh, Haiti, Laos and Nepal. On the basis of the rule concerning export dependency on the Community, however, only the last four would be able to make real use of it.

The European Parliament came out in favour of this proposal³¹⁰, recalling its own positions on extending the stabilisation system to processed agricultural products and asking that the calculation basis for transfers take account of exports to other developing countries too; Parliament hoped in addition that the five countries excluded from application of the system on account of the dependency rule would qualify automatically once that condition was met.

The 1986 system remained in force until the end of 1991, by when the Commission had proposed its renewal, with some amendments and additions. Firstly, following the accession of Haiti to the Lomé Convention, the recognition of other nations as less developed countries and other political events, the list of countries became the following: Afghanistan, Bangladesh, Bhutan, Kampuchea (Cambodia), Laos, the Maldives, Myanmar (Burma), Nepal, Vietnam and Yemen.

For political reasons, the report accompanying Parliament's statement of its position³¹¹ provided for a veto on the application of the system to Afghanistan and Myanmar. On the substance, the report voiced the same criticism of the stabilisation system as of the identical mechanism under the Lomé Convention: it ultimately favours unproductive facilities and export-bound monocultures, rather than diversification; the system covering the non-associated countries in particular provided compensation only for the loss of earnings deriving from exports to the Community and did not relate to regional trade. From a procedural perspective the report expressed regret that Parliament was consulted

³¹⁰ EP resolution of 12 December 1986 closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a regulation setting up a system of compensation for loss of export earnings for least developed countries not signatory to the Lomé Convention, OJ C 7, 12.1.87, p. 318, following on from the report of the Committee on Development with the same title. Doc. A2-156/86. Rap: Saby.

³¹¹ EP resolution of 13 December 1991 embodying the European Parliament's opinion on the Commission proposal for a Council regulation on an export earnings stabilisation system for least developed countries in Asia and Latin America (ALA), OJ C 13, 30.1992, p. 466 following on from the report of the Committee on Development with the same title. Doc. A3-305/91. Rap: Telkämper.

solely on framework measures and not on implementing measures. Parliament delivered a favourable opinion with amendments.

5. Cooperation Agreements with Nepal, Laos and Cambodia

During its fourth legislative period, the European Parliament issued favourable opinions on cooperation agreements with Nepal³¹², Laos³¹³ and Cambodia³¹⁴.

Nepal, a young democracy still in need of consolidation, was one of the poorest countries in the world and suffered from geographical isolation³¹⁵ that affected its transport costs and hence import and export prices; it was furthermore located in a mountainous region between India and China, liable to become critical politically, and had already been obliged to take in some 90 000 refugees from Tibet and Bhutan.

The Agreement, of which, according to a tried and tested model, human rights and environmental protection were key elements, mainly pursued commercial objectives and sought to promote investment and development. Nepal was granted the most-favoured nation clause, while the priorities for economic development, which had to be sustainable, were to improve the quality of life for the poorest population groups, the health system and the lot of women.

Laos was one of the poorest countries in the world, where subsistence farming employed four fifths of the workforce and generated more than half of the country's GDP. On the plus side, it was rich in natural resources and potential for hydroelectric power, now starting to be exploited.

After fifteen or so years of a socialist economy, Laos adopted a market economy in 1991 whilst retaining a Marxist-style single-party political system.

The Agreement with Laos was primarily designed to strengthen cooperation between the parties both from a commercial point of view and as regards development. Protection of the environment and sustainable use of human resources were among its stipulated objectives.

Respect for democratic principles and fundamental rights were a fundamental element, so much so that their infringement could result in the taking of measures for non-compliance with the Agreement.

³¹² EP legislative resolution of 19 April 1996 embodying the European Parliament's opinion on the proposal for a Council Decision concerning the Conclusion of the Cooperation Agreement between the European Community and the Kingdom of Nepal, OJ C 141, 13.5.96, p. 277 following on from the report of the Committee on Development with the same title. Doc. A4-72/96. Rap: Pettinari.

³¹³ EP legislative resolution of 2 October 1997 embodying the European Parliament's opinion on the proposal for a Council Decision concerning the Conclusion of the Cooperation Agreement between the European Community and the Lao People's Democratic Republic, OJ C 325, 27.10.97, p. 15 following on from the report of the Committee on Development with the same title. Doc. A4-216/97. Rap: Castagnede.

³¹⁴ EP legislative resolution of 14 April 1999 embodying the European Parliament's opinion on the proposal for a Council Decision concerning the Conclusion of the Cooperation Agreement between the European Community and the Kingdom of Cambodia, OJ C 219, 30.7.99, p. 189 following on from the report of the Committee on Development with the same title (second report). Doc. A4-116/99. Rap: Pettinari. A previous report with the same title was not followed up.

³¹⁵ The nearest port is Calcutta, at a distance of over 1 000 kilometres.

Cambodia, like Laos, is one of the poorest countries in the world and wracked by serious economic and political problems, which delayed the Agreement. Indeed Parliament, when presented with a previous draft opinion of the Committee on Development³¹⁶ in the wake of a coup d'état in Cambodia which it condemned, had preferred to defer its own opinion until after the elections, which were subsequently held in July 1998 in a *credible and acceptable manner*. Those elections did not however result in a sufficient majority to form an independent government and were followed by serious disorder. Parliament therefore saw fit to make the continuation of aid contingent on the re-establishment of constitutional order, public freedoms and political pluralism. An agreement reached at the end of 1998 made it possible to satisfy these conditions.

In addition to poverty, Cambodia had serious economic and civic problems. The succession of floods that occurred around the mid 1990s caused severe food shortages, while the after-effects of the wars and genocide visited on the country by the Khmer Rouge had resulted in large numbers of displaced persons and the tragic problem of unexploded landmines which were still causing death and injury. Lastly there was the environmental problem of unsustainable exploitation of the forests to extract teak.

Cambodia was dependent on international aid for 48% of its budget and was seeking to encourage foreign investment, although investors were deterred by its turbulent domestic situation. This too was one of the objectives of the Agreement with the European Union, primarily geared to combating poverty, lasting development and social progress. As concerns human rights and the establishment of an effective democratic system, the Agreement with Cambodia provided for broadly similar mechanisms to those in the Agreement with Laos.



A poor housing area in Old Baneshwor near Bagmati in Kathmandu, Nepal. Because of Nepal's poverty, the European Parliament decided in 1996 to grant it 'privileged country' status in trade relations.

³¹⁶ Doc. A4-221/97, presented in the Chamber at the same time as the Agreement with Laos.

CHAPTER X

COOPERATION WITH THE ARAB COUNTRIES³¹⁷

1. Cooperation with the Mediterranean countries in the 1970s

The Mediterranean is an area adjacent to the Community, with which it has always had close trading and cultural relations. Cooperation, which began in the 1960s, was intensified in the following decade through several bilateral agreements of various kinds with developing countries which, for various reasons, were not eligible for association. The Mediterranean developing countries are generally grouped into the two regions of the Maghreb, on Africa's Mediterranean coast, and the Mashreq, in the northern part of the Arabian Peninsula.

Morocco and Tunisia

These two countries gravitate towards the Mediterranean Basin. Their economies had strong links with those of the Six, which absorbed 52% of Tunisia's exports and 60% of Morocco's, and provided 48% and 53% respectively of those countries' imports. Among the Community Member States, France was the principal partner of these two countries on the basis of the *Protocol on goods originating in and coming from certain countries and enjoying special treatment when imported into a Member State*, annexed to the EEC Treaty, which safeguarded the terms granted by a Member State to a third country, normally a former possession, in that those terms were more favourable than the Common Customs Tariff applied to exports to the other Member States.

The original advantage for Tunisia and Morocco diminished over time once France, like the other countries, began to apply the Common Customs Tariff and the 'third country' regime to many agricultural products falling under the common agricultural policy³¹⁸; furthermore, the adoption of the same tariff by the Benelux countries and Germany had led to a rise in the cost of exports to these four States. The two countries therefore expressed interest in an agreement with the Community, which resulted in two requests for negotiations: on 3 October (Tunisia) and 14 December (Morocco) 1963.

In addition to these two requests another was made by Algeria, independent for about a year by then³¹⁹. But, since it enjoyed more favourable terms for its exports to the EEC, Algeria soon took a more hard-line attitude and it became preferable to separate the negotiations.

The two agreements were similar, and in fact identical in structure. They related to named products, whereas the above-mentioned Protocol to the EEC Treaty continued to apply for all others. As concerns imports into the EEC, *industrial products*, excluding coal, iron and steel and cork products, were admitted into the Community without quantitative restrictions and exempt from customs duties; for petroleum products, however, safeguard

³¹⁷ Reference is traditionally made to cooperation with the Mediterranean countries, but having also included cooperation with Yemen here the title chosen seemed more appropriate.

³¹⁸ Since this was a Protocol annexed to the EEC Treaty, to which Tunisia and Morocco were not parties, they were not entitled to object to the 'third country' regime even for some of their agricultural produce.

³¹⁹ 5 December 1962.

measures were laid down in case of difficulties on the market of one or more Member States, as was the possibility of altering the import regime for these products, with compensation for the counterparts under the EEC energy and trade policy. For industrial products deriving from processed agricultural products, the exemption from customs duties was not total. As concerns *agricultural products*, the advantages for those specifically referred to in the agreements (i.e. not all of them) differ according to product type.

With regard to Community exports to the two countries, the concessions made to Morocco had *erga omnes* effect on the basis of the Algeiras Final Act³²⁰ which was still in force. They consisted in a generalised tariff reduction for a series of products and a substantial liberalisation of quotas. The concessions made to Tunisia were similar to those for Morocco, but related in some cases to different products and were not extended to third countries.

From an institutional point of view, both agreements made provision only for an Association Council, modelled on Yaoundé; there was no standing committee and no secretariat. There was also an arbitration body but no provision for parliamentary cooperation.

The report³²¹ situated the two agreements within the Community's Mediterranean policy, which it assessed in favourable terms while asking that general guidelines be drawn up. For the sake of balance, however, the Mediterranean policy needed to be matched by a policy of openness towards the northern European countries. The report also raised the problems confronted by Italian citrus cultivation in the face of competition from the other Mediterranean countries. The European Parliament endorsed these views³²².

Egypt

A preferential trade agreement was signed on 18 December 1972 on the basis of Article 113 of the Treaty. This followed lengthy negotiations hampered by the principle of non-discrimination between the Member States, their citizens and businesses in relation to the decision of the Arab League, of which Egypt was a member, to boycott companies doing business with the State of Israel, with which the EEC had signed a trade agreement containing the principle of non-discrimination as described above. The matter was finally resolved by referring in the agreement only to discrimination between States, and with an exchange of unilateral notes between the parties. Egypt, in its note, undertook to apply the provisions of the agreement without discrimination inasmuch as *they do not lead to the repeal of laws and regulations where these are required for its security*³²³; the Community for its part took note of the Egyptian declaration, expressing the hope that the anti-discrimination rules of the agreement would be implemented in full. This solution did not satisfy the Committee on Development, which *however, given that the boycotting of such companies has never caused excessive difficulties... does not intend to attach much importance to*

³²⁰ This was the concluding act of the Algeiras Conference, which on 7 April 1966 put an end to the rivalry of European powers in Morocco by regulating their interests in the region.

³²¹ EP - Committee on Relations... - Report on the Agreement establishing an Association between the EEC and the Republic of Tunisia (Doc. 13/69); The Agreement establishing an Association between the EEC and the Kingdom of Morocco (Doc. 14/69); the related draft regulations (Doc. 19/69, Doc. 20/69 and Doc. 19/20/21/69-Ann). Doc. 48/69. Rap: Bersani

³²² EP resolution of 4 June 1969 embodying the European Parliament's opinion on the Agreement establishing an Association between the EEC and the Republic of Tunisia; the Agreement establishing an Association between the EEC and the Kingdom of Morocco; the related draft regulations, OJ C 79, 21.6.69, p. 7.

³²³ Quotation from EP - Committee on Development...- Report on the Agreement between the European Economic Community and the Arab Republic of Egypt. Doc. 5/73. Rap: Dewulf.

*the matter, given the advantages of the Agreement both for the ARE [Arab Republic of Egypt] and for the Community*³²⁴. Parliament's resolution³²⁵ was confined, in this respect, to stating that the Community's declaration did not counterbalance that of Egypt. It should be noted that the opinion of the Committee on External Economic Relations³²⁶ distanced itself from this negative assessment, in that the agreement allowed the Community to take appropriate measures in the event of serious and lasting differences of opinion within the Joint Committee, the body responsible under the agreement for handling specific cases of discrimination.

The purpose of the agreement was to increase trade between the Community and Egypt, which were already major trading partners: the Community was Egypt's biggest customer and its second-biggest supplier. Egypt was primarily an agricultural country, even though its number-one export was oil; for rice, the country's main agricultural output, the agreement stipulated a 25% reduction in Community import duties, subject to a ceiling of 31 000 tonnes, offset by an Egyptian export tax so as not to disrupt the Community market. This was the main concession, given the extent of rice-growing in the Arab State; there were other reductions for other agricultural outputs, while for industrial products a 45% reduction in the Common Customs Tariff was granted for Egyptian imports, rising to 55% as from 1974. The report did not regard these concessions as particularly generous in view of the low level of development in Egypt, the poorest of the Mediterranean countries.

The Community received customs reductions on a number of products representing to a fifth of its exports. Taking liberalised products into account, the Community exports covered by the agreement amounted to 55% of the total. Certain clauses allowed Egypt to take measures to protect its nascent industry.

The European Parliament's resolution endorsed its Committee's position and regarded the agreement as a beginning which needed to be followed by more generous concessions. This observation, however, in no way detracts from the importance, not least political, of the agreement as part of the Community's Mediterranean policy. It is worth mentioning that, although not mentioned in the report, the resolution commented favourably on the establishment of a Joint Committee, calling on the Commission to report periodically on its work to the parliamentary committees.

These agreements were subsequently replaced, in April 1976, by the one with Morocco, Algeria and Tunisia (the Maghreb) and in 1977 by the one with Egypt, Jordan and Syria (the Mashreq), which were handled within the European Parliament by the Committee on External Relations. The Committee on Development pointed out in its opinion the differences from the Lomé Convention: these were bilateral agreements of unlimited duration and contained social provisions in favour of immigrants into the Community.

³²⁴ Ibid.

³²⁵ EP resolution of 10 May 1973 on The Agreement between the European Economic Community and the Arab Republic of Egypt, OJ C 37, 4.6.73, p.52.

³²⁶ Annexed to the report.

2. Cooperation with the Mediterranean countries in the 1980s

After just under a decade, the parties no longer found the agreements with the Maghreb and Mashreq countries, joined in the meantime by Lebanon, satisfactory. The European Community acknowledged that they had not functioned as hoped, attributing this situation to the deterioration in the economic situation, which had been good when the initial agreements were signed³²⁷. The Maghreb countries regretted in particular that the agreements had not been implemented in line with their spirit, and above all bemoaned the use made of the textile industry safeguard clauses, applied just a few months after the agreement entered into force. The Mashreq countries, for their part, had major concerns about the enlargement of the European Community to take in Spain and Portugal.

Although the conflicts in which two countries, Morocco and Lebanon, were embroiled probably played a greater role than appears in the report³²⁸, from which the information presented here has been drawn, the Commission began to explore a new basis for cooperation with the Mediterranean countries, encompassing Cyprus, Yugoslavia and Malta and modelled on the Lomé Convention; in other words, there would be specific institutions including a parliamentary body. There would be a global Mediterranean policy. This idea met with the support of the European Parliament³²⁹, which saw it as having major political implications and being a factor for peace in the region. It therefore called for the establishment, on a regional basis, of association structures modelled on the inter-parliamentary joint committees, for the purpose of monitoring negotiations for the future agreements. As for the content, the document voiced concern about the Mediterranean countries' self-sufficiency in food and hoped that priority would be attached to regional development projects; further, the Community should assist its Mediterranean partners to set up educational programmes open to citizens from all developing countries.

In the following year the European Parliament made known its views on a communication from the Commission³³⁰ putting forward three objectives: to maintain and improve the existing trade arrangements, to increase financial and technical assistance so as to cater better for the needs of recipient countries, and to seek the best way of creating a comprehensive policy governing relations between the two shores of the Mediterranean³³¹. The resolution did not explicitly mention these objectives, but they emerged – at least the first two did, since, as the rapporteur put it, there was then no solution for the third – in the various paragraphs of the document that set out a framework for improvements in Community action by mobilising all of the Community's operational tools; it regretted the insufficiency of the financial resources earmarked which, in real terms, amounted to just 43% of those allocated under the existing agreements. It is worth pointing out that reference was made to the reform of the common agricultural policy, in which context the resolution called for attention to be paid to the interdependence between the Community,

³²⁷ However, it had already deteriorated by the time the agreements were signed in the mid 1970s.

³²⁸ EP - Committee on Development...- Report on the cooperation agreements with the developing countries of the Mediterranean region in the context of a global Mediterranean policy of the Community. Doc. A2-27/85. Rap: Cassanmagnago Ceretti

³²⁹ EP resolution of 10 May 1985 on the cooperation agreements with the developing countries of the Mediterranean region in the context of a global Mediterranean policy of the Community, OJ C 141, 10.6.85, p.485.

³³⁰ EP resolution of 18 April 1986 on the communication from the EC Commission to the Council on the Community and the Mediterranean: guidelines for economic cooperation, OJ C 120, 20.5.86, p. 183 following on from the motion for a resolution of the Committee on Development... with the same title. Doc. A2- 21/86. Rap: Trivelli (oral report).

³³¹ Speech by Mr Trivelli, OJ Annex 2-338, p. 331.

then being enlarged to take in Spain and Portugal, and the Mediterranean developing countries, especially the poorest among them.

3. Cooperation with the Mediterranean countries in the 1990s

A few years later the Commission proposed a regulation on the Mediterranean as a whole that, in implementing the so-called Matutes Plan³³², promoted the regional cooperation also desired by the countries on the southern shore. The Commission's proposal provided in addition for action on the environment to tackle the serious problems of erosion, desertification and declining resources; to this end the Matutes Plan allocated ECU 100 million, a mere trifle compared with the estimated overall requirement of 30 billion. Over and above regional cooperation and the environment, the Commission's proposal envisaged forms of cooperation in the fields of culture and population control. The European Parliament approved the proposal, emphasising through its amendments the two last-mentioned areas of cooperation without however suggesting any courses of action³³³.

In the following year the European Parliament delivered its view on a Commission communication concerning relations with the Maghreb³³⁴. It welcomed the Commission's stance in areas such as the intention for the partnership to include civil society organisations, which needed to be involved institutionally in the political dialogue, as well as the intended regional cooperation initiatives.

With regard to cultural and social relations there was support for a wide range of measures, including the establishment of a Euro-Arab university, but above all else the resolution appealed to the media broadcasting in North Africa to avoid misunderstandings due to differences in mentality. Regarding more specifically economic aspects, it called for a reduction or conversion of the Maghreb countries' debts and the removal of entry barriers.

The Matutes Plan was finally implemented by means of two regulations³³⁵: one, described as *horizontal*, on which the position of the European Parliament has been recorded here; the other, described as *vertical*, drawn up by the Committee on Budgetary Control. These two regulations formed the framework for the protocols on *fourth generation* financial and technical cooperation with the Maghreb and Mashreq countries: Algeria, Egypt, Jordan, Lebanon, Morocco and Syria.

The innovative features of these agreements are those described above concerning the proposal for a regulation, but it should be noted that the agreements with Morocco and

³³² On which Parliament was never consulted despite undertakings made by the Italian presidency of the Council. Source: paragraph 4 of the explanatory statement to EP – Committee on Development...- Report on financial and technical cooperation between the European Economic Community and the Syrian Arab Republic. Doc. A3-356/91. Rap: Bindi.

³³³ EP resolution of 15 January 1992 embodying the European Parliament's opinion on the Commission proposal for a Council regulation concerning Financial cooperation in respect of all the Mediterranean non-member countries, OJ C 39, 17.2.92, p. 57, following on from the report of the Committee on Development with the same title. Doc. A3-274/91. Rap: Arbeloa Muru.

³³⁴ EP resolution of 26 May 1993 on relations between the European Community and the Maghreb, OJ C 176, 28.6.93, p. 68, following on from the report of the Committee on Development.. with the same title. Doc. A3-158/93. Rap: Cassanmagnago Ceretti.

³³⁵ Council Regulation (EEC) No 1762/92 of 29 June 1992 on the implementation of the Protocols on financial and technical cooperation concluded by the Community with Mediterranean non-member countries, OJ L 181, 1.7.1992, p. 1 and Council Regulation (EEC) No 1763/92 of 29 June 1992 concerning Financial cooperation in respect of all Mediterranean non-member countries, OJ L 181, 1.7.1992, p. 5.

Syria initially met with a no-vote in the Chamber on 15 January 1992³³⁶ for reasons set out in a parliamentary own-initiative resolution³³⁷ approved at the same time as the decisions on the financial protocols. The reasons concerned for human rights, being seriously flouted in both of the States in question, and, in Morocco's case, with compliance with a United Nations resolution on the Western Sahara. The resolution was obviously addressed to the Commission, which was asked not to begin applying the fourth protocol to the two States; the same should go for the protocol with Algeria until that country's political situation could be clarified³³⁸.

The refusal of assent for the financial protocols with Syria and Morocco was a separate act from the resolution. In the case of Morocco those difficulties were overcome a few months later³³⁹, whereas for Syria the refusal was reiterated both in October 1992 and in March of the following year³⁴⁰. Not until 15 December 1993, after a pressing request from the Council for the matter to be re-examined, did the fourth protocol with Syria receive assent³⁴¹.

A specific initiative geared towards the Maghreb was job creation and support for small and medium-sized firms: to this end the Commission drew up a proposal for a regulation that was welcomed by the European Parliament³⁴². Parliament was pleased with the initial results of cooperation with the Maghreb, while regretting the disproportionate allocation of aid: the accompanying report cited in particular the granting of just half a million ECU to Algeria, as opposed to some three million for Tunisia and 6.5 million for Morocco. Parliament realised that the reason for this state of affairs was the uncertainty arising from the attacks taking place in Algeria, which were preventing the European experts from leaving the capital, and called on the Commission to explore with the Algerian Government ways of facilitating cooperation.

³³⁶ EP legislative resolution of 15 January 1992 on the conclusion of the Protocol on financial and technical cooperation between the European Economic Community and the Syrian Arab Republic and the conclusion of the Protocol on financial and technical cooperation between the European Economic Community and the Kingdom of Morocco, OJ C 39, 17.2.92, p. 52 and 54.

³³⁷ EP resolution of 15 January 1992 on the Financial Protocols with Syria, Morocco, Algeria, Egypt, Tunisia, Jordan, Lebanon and Israel and these countries' respect for human rights and international agreements, OJ C 39, 17.2.92, p. 50. It should be noted that assent was given at the same time for the third protocol with Syria, which had already expired.

³³⁸ A similar request was formulated for the State of Israel in relation to respect for human rights in the Occupied Territories and for certain United Nations resolutions. The Protocol with the State of Israel did not encompass development cooperation and is outside the remit of this working document.

³³⁹ EP legislative resolution of 28 October 1992 on the conclusion of the additional protocol on financial and technical cooperation between the European Economic Community and the Syrian Arab Republic (two decisions on two periods) and the conclusion of the additional protocol on financial and technical cooperation between the European Economic Community and the Kingdom of Morocco, OJ C 305, 23.11.92, p. 65 and 64.

³⁴⁰ EP legislative resolution of 10 March 1993 on the conclusion of the protocol on financial and technical cooperation between the European Economic Community and the Syrian Arab Republic, OJ C 115, 26.4.93, p. 78.

³⁴¹ EP legislative resolution of 15 December 1993 on the conclusion of the protocol on financial and technical cooperation between the European Economic Community and the Syrian Arab Republic, OJ C 20, 24.1.94, p. 85 following on from the report of the Committee on Development... with the same title. Doc. A3-0381/93. Rap: Cassanmagnago Ceretti.

³⁴² EP legislative resolution of 28 October 1994 embodying the European Parliament's opinion on the proposal for a Council regulation in the field of employment creation and support to small and micro-enterprises in the Maghreb countries, OJ C 323, 21.11.94, p. 492, following on from the report of the Committee on Development... with the same title. Doc. A4-37/94. Rap: Palacio Vallelersundi.

4. The Agreement with Yemen

This nation, which arose out of the much-disputed unification of North Yemen and South Yemen, was a rare example of a country in the Arabian Peninsula where there were no problems of respect for human rights and where democratic life was harmonious, as stated in the report accompanying the draft opinion³⁴³.

The agreement between the Republic of Yemen and the EU was a third generation agreement: it contained the most-favoured nation clause and related to trade cooperation, development cooperation, economic cooperation, cooperation in respect of the environment and culture, science, social development and human resources, as well as financial cooperation.

³⁴³ EP legislative resolution of 29 January 1998 embodying the European Parliament's opinion on the proposal for a Council Decision concerning the conclusion of the Cooperation Agreement between the European Community and the Republic of Yemen, OJ C 56, 23.2.98, p. 35, following on from the report of the Committee on Development with the same title. Doc. A4-7/98. Rap: Pettinari.

CHAPTER XI

SOUTH AFRICA AND SOUTHERN AFRICA

1. The South Africa issue³⁴⁴

The events preceding the end of apartheid were very probably those of greatest concern to the European Parliament, due to the complexity of the situation. An internal human rights issue was combined with a rather incandescent situation throughout the region of Southern Africa. Some of the countries there, such as Angola and Mozambique, were making the painful transition from colonialism to independence with grave internal civil wars, in which South Africa deployed its economic and military superiority for forceful interventions, either supporting one faction against another or carrying out military incursions beyond its own frontiers. This situation led to the ACP States exerting great pressure on the Community for both political and economic intervention in favour of the 'front-line' countries.

One of the considerations underlying the pressures from Africa was that by that time South Africa and Southern Rhodesia were the last remnants of colonialism in the African continent, which had now taken independence as a continent-wide objective rather than that of individual countries.

The South Africa question, however, differed from that of Rhodesia. Whereas the question of apartheid in Rhodesia was bound up with its relationship with the United Kingdom against which it had rebelled, in South African apartheid, rooted in strongly ideology and religion, had become the central focus of attention for the international community, which many times denounced the South African regime, and for public opinion in general, whose concern and awareness of the problem had been aroused.

The Foreign Ministers of the Six condemned apartheid for the first time in a declaration of 23 February 1976, and on 20 September 1977 they approved a *Code of Conduct for Community companies with subsidiaries, branches or representations in South Africa*³⁴⁵, which was not legally binding and essentially concentrated on the conditions and rights of workers within the companies.

The European Parliament delivered its opinion on the Code of Conduct for the first time in 1979³⁴⁶, judging that although it was not legally binding it was evidence of the political will of the Nine to oppose apartheid. Certain criticisms, however, were made of its content, firstly that no reference was made in the Code to the other ethnic groups discriminated against in South Africa, the Asians and the coloureds, and also that monitoring of the Code was entrusted to the Member States and not to the Community; at the same time, there was a call for a study of the legal instruments with a view to making the Code

³⁴⁴ On this subject, see also in the Annex, ANGIIONI E., European Community/European Union relations with South Africa, 1977-1994, a study produced independently by the author in September 2009 within CARDOC.

³⁴⁵ For the purposes of this study, the author has consulted the text annexed to EP – Committee on Development – Report on the form, status, context and application of the Code of Conduct for Community companies with subsidiaries, branches or representations in South Africa. Doc. 70/79. Rapp: Lagorce.

³⁴⁶ EP resolution of 26 April 1979 on the Form, status, context and application of the Code of Conduct for Community companies with subsidiaries, branches or representations in South Africa, OJ C 127, 21.5.1979, p. 56.

mandatory. On a more general level, the resolution did not consider it realistic to extend a boycott to all forms of trade³⁴⁷.

After this resolution, the European Parliament delivered further opinions on the South Africa situation in the form of specific own-initiative resolutions of Parliament or the Committee on Political Affairs, as well as in the context of other resolutions, in particular those on the work of the ACP-EEC Consultative Assembly, which was obviously sensitive to the problem. The European Parliament returned to the question of the Code of Conduct seven years later, when the Foreign Ministers of the Ten, following the negative outcome of a Community mission in South Africa, adopted a series of restrictive and positive measures; among the positive measures was a reinforcement of the Code. In its resolution³⁴⁸, the European Parliament expressed regret that it had not been consulted and complained of the lack of regulations on inspection and possible legal sanctions, the absence of consultation with the social partners and the non-Community nature of the Code. It also called for the Code to be binding.



African boy living in a very poor community in a village near the Kalahari Desert, Namibia. In the early 1990s Namibia became independent and joined the Southern African Development Community (SADC).

2. South Africa between the end of apartheid and the first general election

On 17 May 1992, at the end of a lengthy, troubled political process, apartheid was abolished by a referendum, in which only the white minority took part. South Africa entered into a transition phase that saw the implementation of a sort of co-management of the country by the de Klerk Government, representing the white minority, and the black leadership under the guidance of Nelson Mandela, who had been released from prison in 1990 following a long sentence. On the political level a draft constitution was drawn up, but there was a succession of violent outbreaks in the country between the various extremist factions, both political and tribal.

³⁴⁷ At the time there was an embargo on exports to South Africa of products for military use and those associated with nuclear energy, as well as on certain banking services.

³⁴⁸ EP resolution of 20 February 1986 on the Application of the Code of Conduct for Community companies with subsidiaries, branches or representations in South Africa, OJ C 68, 24.3.1986, p. 130, following on from the report by the Committee on Development... with the same title. Doc. A2-197/85. Rap: De Baker van Ocken.

The first elections in which the whole population took part were to be held in April 1994. A few months earlier the European Parliament gave its opinion on the situation and prospects for the development of South Africa and the geopolitical area as a whole³⁴⁹. The point of departure, clearly explained in the accompanying report, was the set of theories expounded during a European Forum by Zyl Slabbert, a South African politician and businessman who had belonged to a white minority group that had, since the 1980s, supported the demands for the abolition of apartheid. According to this exponent of South Africa's public life and the accompanying report, what South Africa needed was *stability*, implying the necessary reforms of the police and armed forces, *economic growth*, which should be facilitated by the lifting of UN economic sanctions and be directed towards overcoming the serious economic situation at that time, a *redistribution of resources* in line with the restructuring of the budget, which should allocate more funds to education, training and construction, and lastly *legitimacy* of the institutions, which were to be put to the test by the 1994 elections.

In the light of this philosophy, which is cited in the recitals, the Parliamentary resolution launched an appeal to the extremist groups to renounce violence, which was leading to the destabilisation of the democratic process then under way. Essentially, however, it looked to the future of the relations between the European Union and South Africa, and between South Africa and all the other countries in the region, with which, moreover, it had already established normal diplomatic relations. The resolution called on the country to improve its trading and monetary relations and to cooperate with SADC projects³⁵⁰.

Community aid to South Africa, for its part, should be the subject of coordination with the national and local democratic authorities. Lastly, the special programme of aid for the victims of apartheid was to be continued.

3. Cooperation with South Africa

With the general elections, South Africa entered the list of countries performing their full role at international level. Having elected a parliament representing the whole of the national community, it was accepted as an observer at the Joint Assembly of the Lomé Convention, and a debate was initiated on its interest in joining the Convention and the consequences of the membership of a country with special socio-economic features that made it somewhat different from the ACP countries. The main problem was whether special rules might be necessary to regulate its participation. But even if South Africa chose not to join Lomé, the problem of regulating its relations with the ACP area would arise.

These longer-term considerations did not prevent the adoption of short-term measures leading in practice to an interim agreement signed on 10 October 1994. The European

³⁴⁹ EP resolution of 15 December 1993 on development prospects in South Africa and southern Africa, OJ C 20, 24.1.1994, p. 120, following on from the report of the Committee on Development... with the same title. Doc. A3-377/93. Rap: Braun-Moser.

³⁵⁰ The resolution contained no reference to South Africa joining the SADC, the South African Development Community, which must already have been decided in December 1993, or at least have been in the negotiating phase, since it acceded on 30 April 1994 just after the general election.

Parliament delivered a favourable opinion on the agreement³⁵¹, although it observed that the agreement created the legal basis for future cooperation without tackling the content or even the nature of long-term cooperation. The European Parliament was aware, moreover, that the agreement was necessary in order to fulfil the obligations already entered into, and the absence of an indication of the content meant that the rapporteur could give a full and detailed account of what Parliament hoped for in the case of a country that was to become a special partner of the Union due to its economic importance, the volume of trade between the two parties and, finally, its geographical position and the role played by South Africa in the area.

While Parliament expressed its favourable opinion, albeit with certain amendments, of the regulation implementing the agreement³⁵², the accompanying report concentrated on the inadequacies of the system of expenditure on aid to South Africa and in particular on the non-governmental organisations, some of which should be wound up on completion of their project, as well as on the need to reinforce human resources and to simplify procedures, proposing to this end the decentralisation of the decisions on minor projects (up to half a million ECU), which could be made the responsibility of the head of the Community delegation in South Africa. The position of the Council was that it accepted none of these amendments, which Parliament continued to urge³⁵³.

In June 1998 South Africa acceded to the Lomé Convention and signed a bilateral agreement with the Community on trade, development and cooperation, necessitating certain changes to the existing regulations³⁵⁴, expiring at the



A hungry child collects rubbish from a landfill, Maputo, Mozambique. In 1989 the EP adopted a resolution calling on the Commission to provide designated aid for major projects in Mozambique.

³⁵¹ EP legislative resolution of 30 November 1994 embodying European Parliament's opinion on the proposal for a Council decision on the conclusion of the Agreement on cooperation between the EC and the Republic of South Africa, OJ C 363, 19.12.1994, p. 13, following on from the report of the Committee on Development... with the same title. Doc. A4-84/94. Rap: G. Kinnock.

³⁵² EP legislative resolution of 10 October 1995 embodying European Parliament's opinion on the proposal for a Council Regulation on development cooperation with South Africa, OJ C 287, 30.10.1995, p. 29, following on from the report of the Committee on Development... with the same title. Doc. A4-215/95. Rapp: Günther.

³⁵³ EP Decision of 18 July 1996 on the common position adopted by the Council with a view to adopting a Council Regulation on development cooperation with South Africa, OJ C 261, 9.9.1996, p. 144 following on from the report of the Committee on Development... with the same title. Doc. A4-214/96. Rapp: Günther.

³⁵⁴ Council Regulation (EC) No 2259/96 of 22 November 1996 on development cooperation with South Africa, OJ L 306, 28.11.1996, pp. 5-8.

end of 1999. The European Parliament approved the Commission's proposal, with amendments³⁵⁵ specifying the procedures and objectives, extending to cooperation between European and South African companies and to regional restructuring ensuing from the trade agreement.

4. Cooperation with Southern Africa

As has been seen, in the highly incandescent situation in Southern Africa, South Africa played a role in destabilising the other states in the region, most of which were dependent upon it for their communications. To defend themselves from the aggression also displayed on a military level, what were known as the 'front-line countries'³⁵⁶ came together in two organisations, one military, FLS³⁵⁷, the other economic, SADCC³⁵⁸, with a view to cooperation on meeting the demands of their economies through the creation of their own transport infrastructure, mainly ports, so that they could avoid having to pass through South Africa.

The European Parliament, which had in 1986 established a budget heading for aid to the countries of Southern Africa, intended in particular for war orphans and later for refugees in the region, issued a resolution on 17 March 1989³⁵⁹ calling on the Commission to provide specific aid to safeguard its own projects in the course of implementation, and for certain works of particular importance in Angola and Mozambique. Parliament also asked the Commission to investigate, with the cooperation of European railways, the best forms of cooperation to reactivate networks and rolling stock for the front-line countries.

The political situation of the region improved thereafter, thanks to the start of the democratisation of South Africa, Namibian independence and the initiation of a peacemaking process within Angola and Mozambique. This reached a point at which a meeting of delegations from the parliaments of the SADC member countries could be convened, which the European Parliament³⁶⁰ saw as an embryo of a parliamentary assembly of the organisation. In the general climate of a more peaceful region, Parliament hoped that mixed private capital undertakings could be created, with the participation of economic operators from countries outside the area with a view to developing industry and employment. In the region, now that it had become possible to transit through South Africa, transport needed to be developed.

In this context, the Commission presented a proposal for a regulation to provide a legal basis for the use of the budget heading allocated to Southern Africa, out of which, since 1986, projects had been funded that had formerly drawn on the Development Fund to

³⁵⁵ EP legislative resolution of 5 May 1999 embodying European Parliament's opinion on the proposal for a Council Regulation on development cooperation with South Africa, OJ C 279, 1.10.1999, p. 195, following on from the report of the Committee on Development... with the same title. Doc. A4-249/99. Rapp: Fassa.

³⁵⁶ Angola, Botswana, Lesotho, Malawi, Mozambique, Tanzania, Swaziland, Zambia, Zimbabwe.

³⁵⁷ Front Line States. This was dissolved in 1994, when South Africa ceased to constitute a threat.

³⁵⁸ Southern Africa Development Coordination Conference, established in 1981 and becoming the Southern Africa Development Community (SADC) in 1992.

³⁵⁹ EP resolution of 17 March 1989 on freedom of circulation in the front-line countries, OJ C 96, 17.4.1989, p. 236, following on from the report of the Committee on Development... with the same title, Doc. A2-353/88. Rap: Gutierrez Diaz.

³⁶⁰ EP resolution of 15 December 1993 on development prospects in South Africa and southern Africa, Op. cit.

tackle the economic and financial problems caused by the instability of the zone. In particular, projects had been financed in Angola and Mozambique, the countries that had suffered most in the region; these projects related to infrastructure, the most vulnerable population groups and measures to encourage the demobilisation of armed groups. The European Parliament declared itself in favour of the proposal, with amendments aiming to specify the objectives and provide for coordination of initiatives with those of the other donors³⁶¹.

³⁶¹ EP legislative resolution of 15 December 1995 embodying European Parliament's opinion on the proposal for a Council regulation on support for rehabilitation programmes in southern Africa, OJ C 174, 22.1.1996, p. 452. following on from the report of the Committee on Development... with the same title. Doc. A4-303/95. Rap: Baldi.

PART III
GLOBAL COOPERATION

CHAPTER XII

NORTH-SOUTH RELATIONS

THE EUROPEAN COMMUNITY AND THE UNITED NATIONS: DEVELOPMENT

1. Development cooperation within the framework of the United Nations

Growing pressure in the UN due to the decolonisation of former colonial states and their acquisition of an international role led to the creation of UNCTAD³⁶². Its task within the United Nations was to promote international trade between the industrialised and the developing countries, thus contributing to growth in the latter. Within UNCTAD, from the start the developing countries formed a pressure group, generally known as the 'Group of 77' from the number of its original members. With the large majority it held in the Assembly, the Group was able to steer the body, even though the gradual industrialisation of a portion of the countries in the Group led to a significant divergence of interests between those undergoing industrialisation and the poorer countries.

UNCTAD's periodic sessions, or 'conferences', have marked out the fundamental steps on development cooperation policy: the objective of industrialised countries contributing not less than 0.7% of their gross domestic product and the idea of generalised tariff preferences, which are probably their greatest contribution, as well as the basis for numerous agreements on commodities.

The economic crisis of the early 1980s also affected this organisation, and at its sixth session Parliament delivered its opinion on this in two resolutions, one in preparation for that session and the other to draw conclusions from a Community viewpoint. The first resolution³⁶³ started by noting the diversities now existing in the Group of 77 and expressed the hope that the more highly industrialised nations would be admitted to GATT, but the most significant point was the position it adopted on the system of general tariff preferences, which was considerably more advantageous to countries in the course of industrialisation than to the poorer states. The system should be retained and extended to include processed agricultural products so that it could be enjoyed by the poorer countries, while at the same time provision should be made for the relatively more highly developed countries to grant the same preferences to their imports from poorer nations. The resolution also called for a redefinition of the GATT safeguard clause so as not to undermine the industrialisation efforts of the developing countries.

The resolution also tackled the crucial issue of price stabilisation for commodities, calling for an improvement in the operation of Stabex and the corresponding International Monetary Fund system, as well as the issue of funding to help developing countries facing severe indebtedness problems, suggesting that repayments be rescheduled and that there should be interest subsidies depending on the debtors' level of development.

³⁶² United Nations Conference on Trade and Development, established in 1964. Despite its name, it is a permanent organisation with its own structure.

³⁶³ EP resolution of 20 May 1983 on the Sixth United Nations Conference on Trade and Development (UNCTAD) (Belgrade, 6 June - 1 July 1983), OJ C 161, 20.6.1983, p. 183, following on from the report of the Committee on Development... with the same title. Doc. 1-255/83. Rap: R. Cohen.

A sense of disappointment with the sparse results achieved by the Sixth Conference that had been held in the meanwhile was expressed in the subsequent resolution³⁶⁴, although it was recognised that the UNCTAD Conference was only one element in a whole series of international gatherings, past and future. The resolution also called on the Community not to raise the question of negotiations under the Lomé Convention, which were in the course of renewal at the time, so as not to act at world level.

A few years later, in preparation for the Seventh Conference, the Commission presented a communication on which Parliament expressed its opinion in the form of a resolution³⁶⁵. There had been no substantial changes in the general situation of the developing countries: in fact the differences among them in terms of the level of improvement attained had widened, leading to a divergence in their interests. The Commission's communication took this as the basis of its argument for suggesting a diversification of development policies, implying in particular a diversification of the system of generalised tariff preferences.

The rapporteur for the Committee on Development did not like this approach, viewing the tariff preferences system as now being a sort of contractual obligation; the same approach was criticised as regards the problem of indebtedness, on which it would have a deflationary effect not reflecting the needs of the developing countries³⁶⁶. In essence, the resolution concentrated on the problems of debt, raw materials and international trade. On the first problem, it was felt necessary to restore the stability of the international monetary system, the development of trade and the strengthening of the multilateral financial institutions; on the question of raw materials, the Community was invited to commit itself to bringing about fairer selling conditions for their products; and, on the question of international trade, it was hoped that the non-tariff obstacles limiting the results of development policies could be overcome.

The second resolution on the subject expressed satisfaction as to the outcome of the Conference³⁶⁷, highlighting its recognition of the connection between indebtedness and the level of income from exports; the concepts of diversification and graduation were rejected in the debate on the now established generalised preferences system.

2. Cooperation with the least developed countries within the framework of the United Nations

The developing countries did not constitute a uniform whole but had different economic characteristics, with significant effects on their potential for development and therefore

³⁶⁴ EP resolution of 20 January 1984 on the conclusions to be drawn from the Sixth United Nations Conference on trade and development (Belgrade, 6 June to 3 July 1983), OJ C 46, 20.2.1984, p. 115, following on from the report of the Committee on Development... with the same title. Doc. 1-1147/83. Rapp: R. Cohen.

³⁶⁵ EP resolution of 19 June 1987 on the Seventh United Nations Conference on trade and development (UNCTAD) (Geneva, 9 to 31 July 1987), OJ C 190, 20.7.1987 following on from the motion for a resolution of the Committee on Development... with the same title. Doc. A2-75/87. Rap: Cohen (oral report).

³⁶⁶ Speech by M. Cohen in Debates of the European Parliament, sitting of Thursday 18 June 1987, in Annex to OJ 2-353, p. 320.

³⁶⁷ EP resolution of 30 October 1987 on the Seventh United Nations Conference on trade and development (UNCTAD), held in Geneva, 9 to 31 July 1987, OJ C 318, 30.11.1987, p. 156, following on from the motion for a resolution of the Committee on Development... with the same title. Doc. 2-179/87. Rapp: Cohen.

on the cooperation policies that might apply to them³⁶⁸. This situation had emerged from the start of the international debate on development and had led to the identification of a specific category of *least advanced countries*, defined in UN circles as those having a per capita income of less than 150 dollars a year (in 1979), with a low level of literacy and industrialisation, as well as subsistence farming employing rudimentary techniques. In 1979 the list of the least developed countries, produced by the World Bank, numbered 31: Afghanistan, Bangladesh, Benin, Bhutan, Botswana, Burundi, Cape Verde, the Central African Republic, Chad, Comoros, Ethiopia, Gambia, Guinea, Haiti, Laos, Lesotho, Malawi, Maldives, Mali, Nepal, Nigeria, Rwanda, Samoa, Sikkim, Somalia, Sudan, Tanzania, Uganda, Upper Volta and the Republic of Yemen.

In 1979 UNCTAD launched a special programme for these countries and in 1981 it organised a Conference, with a view to which Parliament approved a resolution³⁶⁹ addressing the subjects of agriculture, trade in commodities and financial instruments. On the first subject, the resolution referred to the objectives stated in its resolution of 18 September 1980³⁷⁰, stressing their urgency for the least developed countries and calling for a specific Community policy on food aid for those countries. Regarding the financial aspects, which the resolution covered at length, the emphasis was again placed on the target for industrialised countries of donating 0.7% of their GDP to development aid. Although the resolution welcomed the creation of special funds for food imports within the International Monetary Fund it did not see these as a permanent solution, preferring recourse to ordinary funds: it therefore proposed an increase in IMF resources. The resolution also looked for an increase in grants of Community aid in the form of projects.

After the Conference the European Parliament, a delegation from which had been admitted as an 'observer', issued a further opinion³⁷¹, expressing its satisfaction at the results achieved, which represented a first step towards a special policy in favour of the least developed countries, and calling for a consistent Community policy comprising additional measures, both under the Lomé Convention and outside of it for those not parties to the Convention. The resolution also asked the Commission to investigate the possibility of extending Stabex to the least developed non-associated countries.

³⁶⁸ Among supporters of development cooperation there was a strong concern that the reclassification of developing countries into sub-groups, based on their socio-economic characteristics, might mask an intention to divide up the Group of 77 by holding separate negotiations for each sub-group. Their concern was taken up by the UNCTAD Secretary-General who, on the subject of the conference on the least advanced countries, expanded upon later in the text, pointed out that it was not a question of designing a new policy but of applying the unified cooperation policy to a specific sub-group.

³⁶⁹ EP resolution of 10 July 1981 on the communication from the Commission of the European Communities to the Council on the UN Conference on the least developed countries (Paris, 1-14 September 1981), OJ C 234, 14.9.1981, p. 101, following on from the report of the Committee on Development... with the same title. Doc. 1-330/81. Rap: R. Cohen. The information provided in this paragraph on the least developed countries is taken from this report.

³⁷⁰ Cf.

³⁷¹ EP resolution of 18 December 1981 on the results of the United Nations Conference on the least developed countries (Paris, 1-14 September 1981), OJ C 11, 18.1.1982, p.194, following on from the report of the Committee on Development... with the same title. Doc. 1-823/81. Rapp: R. Cohen.

THE EUROPEAN PARLIAMENT'S POSITIONS ON NORTH-SOUTH RELATIONS

3. North-South relations in European Parliament resolutions in 1987

The European Parliament did not confine itself to following the UNCTAD Conferences or, as will be seen in the next chapter, the Commission's programmes, but also engaged in deliberations of its own that ranged over the whole issue of development and, at a time when these subjects were being neglected in international discussions, it sought to relaunch them. One example of this is the debate, entitled *North-South relations*, held on 17 February 1987 on a series of motions for resolutions of the Committee on Development³⁷², which gave rise to a series of motions for Parliamentary own-initiative resolutions.

The Chair of the committee, Mrs Focke, speaking formally as the rapporteur for one of the motions for a resolution, reminded the Community of its responsibilities without mincing her words³⁷³. The purpose of the motion for a resolution she presented was to justify and contextualise the global initiative, each of its measures being covered separately by the other motions. The first paragraph of the resolution on North-South cooperation set out both a peremptory request and at the same time a political programme:

...the European Council must, by formally expressing itself in favour of multilateral cooperation, assume overall responsibility for a Community initiative, at both world and regional level, in order to relaunch the North-South dialogue, promote decisive progress in North-South relations and ensure that the same stance is adopted in all the international organisations and institutions concerned as well as in international negotiations; priority must be attached to this task during the meetings it is to hold in 1987.

The resolution continued by summarising the content of the other resolutions and calling for a massive increase in the resources made available for development aid:

7. ... the development of aid implies a substantial growth in the public budgets – of the Community and the Member States – to ensure their autonomous development, which must be centred on the men and women of the Third World, their fundamental needs, their rights and their skills; [the European Parliament] notes that its resolutions on North-South relations clearly show the sectors in which considerable additional financial credits are necessary; ...this increase must be such as to honour at last the 0.7% commitment as well as the undertaking to give 0.15% to the most disadvantaged developing countries...

³⁷² These motions were used as the basis for five resolutions of 18 February 1987 on:

- North-South cooperation, OJ C 76, 23.3.1987, p. 57, following on from the report of the Committee on Development... with the same title. Doc. A2-203/86. Rapp: Focke.
- EEC relations with developing countries with regard to trade and raw materials, OJ C 76, 23.3.1987, p. 60, following on from the report of the Committee on Development... with the same title. Doc. A2-205/86. Rap: R. Cohen.
- The problems of indebtedness in the developing countries, OJ C 76, 23.3.1987, p. 65, following on from the report of the Committee on Development... with the same title. Doc. A2-201/86. Rap: Vergeer.
- Development and disarmament, OJ C 76, 23.3.1987, p. 71, following on from the report of the Committee on Development... with the same title. Doc. A2-202/86. Rapp: Trivelli.
- Coordination of development aid, OJ C 76, 23.3.1987, p. 113, following on from the report of the Committee on Development... with the same title. Doc. A2-212/86. Rapp: Jackson.

³⁷³ EP Debates of the European Parliament - sitting of 17 February 1987, OJ Annex 2-348, p. 25.

The problem weighing on developing countries and jeopardising their growth was debt: the report accompanying the third resolution carried out a relevant and detailed analysis of both the causes and the measures being prepared at international level to overcome the problem, in particular the 'Baker plan'. Among the causes, the report lists:

High interest rates, the instability of the US dollar exchange rate, the marked fall in world prices for raw materials and other strategic products, the growth of protectionism in industrialised countries, the flight of capital and the weakness of growth rates: all these are factors whose combined effects have caused the developing countries to suffer a crisis that has undermined the political and social stability of many of them.

But the main external cause and, as reconstructed by the report, the one that had directly and indirectly brought about the others was the termination of the Bretton Woods Agreements in 1971. This had led to monetary instability followed by an increase in international liquidity, creating inflationary pressure and, as a result, higher oil prices on the one hand and, on the other, the availability of a large volume of capital from banking institutions, which readily funded the developing countries, whereas the rise in the value of the dollar made the debts into which they had entered more expensive; at the same time, the prices of raw materials exported by the developing countries collapsed for other reasons, reducing their export earnings.

The International Monetary Fund sought to remedy this situation with the 'Baker Plan' of 1985. This proposed an increase in lending from commercial banks to a total of 20 billion dollars over three years to fifteen developing countries, which would commit themselves to stringent economic reforms, while the multilateral banks would increase their loans by about nine billion to a total of 20 billion dollars.

This plan, as the report maintains in the light of various studies, was however geared to the requirements of the developing countries closest to the US, neglecting the interests of the African States.

It was the conviction in the resolution on debt, implicitly following the general approach of the resolution on North-South cooperation, that responses to the problem could not be technical and financial but should essentially be political. The resolution called on the Community to adopt an initiative to formulate solutions that would meet the need to restore the debt situation to a sounder footing and at the same time provide for the long-term funding of growth.

On a practical level, the resolution calls for the liberalisation of trade in the context of the GATT negotiations, eliminating the obstacles to exports from the developing countries and, in agreement with the United States, Japan and the USSR, directing the savings of the industrialised countries towards those of the developing countries. In addition, it welcomed the efforts made by banking circles to reschedule their debts, but asked for the questions of debt and its servicing to be linked with those of the flow of resources. Interest should be lowered, too, both in general as called for at the Tokyo summit and specifically in the case of certain developing countries; for some of these, provision could also be made to suspend their payments, with the appropriate guarantees for private creditors.

Lastly, the resolution proposed that future loans be denominated in ECU with a view to the gradual neutralisation of their dependence on the dollar.

In this context, the second resolution tackled the issue of international trade, the prime mover of development. The focal point was stabilisation of the prices of raw materials, although the resolution preferred not to list these. These prices were a crucial problem for the developing countries because of their twofold effect on their capacity for growth and on their solvency, but they were also important for industrialised countries in that the stability of raw materials prices is a factor of stability for the economy as a whole. The instrument indicated by the resolution was that of international agreements setting a price based on long-term market equilibrium. There was also a need for the Common Fund³⁷⁴ to come into force, and for pressure to be exerted by the Member States on the United States and the USSR to join.

The second problem of international trade affecting the developing countries was the generalised preferences system, or rather the obstacles hampering its proper application: the often over-stringent provisions on the rules of origin, the administrative obstacles and the complicated and not very transparent procedures. The resolution listed a series of simplification measures and, pointing out that the system worked against the interests of the poorer countries, called for differentiated and more advantageous provisions for those nations.

More political in nature was the resolution on development and disarmament, in which the European Parliament, indignant at the fact that 20-30% of the Third World's debt was attributable to military spending, called on the industrialised countries to create a psychological climate that would help to dispel the conflicts and tensions among the developing countries and to promote the conclusion of agreements on disarmament and the reduction of military spending. The resolution also called for the Community to support the organisation of an international conference on the reduction and gradual prohibition of the arms trade.

The resolution on aid coordination tackled an operational topic that affected the efficiency of cooperation but also had political aspects, especially as regards the bilateral aid of the Member States, which – as the accompanying report pointed out – were pursuing their jealously guarded political and commercial objectives. The resolution covered the coordination both between the Community and its Member States and between them and the international organisations, paying particular attention to regional organisations concerned with development aid. The resolution highlighted the advantages and indicated certain forms and forums of such coordination.

4. North-South relations in a 1992 European Parliament resolution

On the eve of completion of the single market, coinciding with the establishment of the European Economic Area and closely following the unification of Germany and the break-up of the Soviet Union, the European Parliament considered the future consequences

³⁷⁴ This was the financial instrument of the integrated 'raw materials' programme devised within UNCTAD; the United States and the Soviet Union did not take part.

of the new situation on North-South relations³⁷⁵. On a global level, international relations had become multipolar and structured around three axes (the European Community, United States and Japan)³⁷⁶. In this context, the features of the sub-system of developing countries were an intensification of regional relations, greater ethnocentrism and the formation of regional military powers, often ruled by dictatorial regimes. In this situation, the European Community, which was expanding to include the whole continent, could launch its own initiative, no longer North-South but East-West-South.

From an economic viewpoint, the developing countries were faced with this situation: the goal whereby the industrialised countries would allocate 0.7% of their gross domestic product to developing countries had not been achieved. Eastern European countries were receiving 1% of the GDP of the 24 countries that were supporting them. Private investments were flowing away from the developing countries, and transfers of these investments towards the Northern hemisphere for debt servicing were equivalent to the aid being given to the Eastern European countries. The resolution, however, held that the real risk for developing countries was in essence the formation of large regional blocs from which they were excluded. To overcome this, the resolution suggested that:

...the new model for cooperation should adopt a globalist approach, dissociating aid from bilateral political or economic interests and eliminating military types of aid, ending the demands made by international financial institutions where these impose an actual limit on development.

It therefore called upon the Commission, the Council, the countries of Eastern Europe and those of the former Soviet Union to consider a coordinated cooperation strategy.

On the specific problem of debt, the resolution stressed Parliament's concern at the tensions generated on the international capital markets by the commitment to the Eastern European countries and to the reconstruction of countries having suffered from the Gulf war³⁷⁷. These tensions could have adverse repercussions on indebtedness, and the resolution therefore called for broader cooperation to tackle the overall situation of transfers to the East and South.

The question closest to the hearts of the developing countries, however, was the opening up of markets in the North to their products. Here again, competition was starting up between the developing countries and the Eastern European countries, which were now eligible for the generalised preferences system and were parties to association agreements. Given the situation that was being created, there was a need to consider in greater depth the mechanisms of access to the preferential tariffs system and to increase the ceilings and limits on the amounts of the preferences granted to the Eastern European countries.

As already demonstrated in other resolutions, Parliament was conscious of the effects of military spending on development, both by developing countries and by the industrialised countries. In the former, military spending was generally equivalent to or even higher

³⁷⁵ EP resolution of 14 May 1992 on Changes in East-West relations and the North-South relationship: role of the Community and the Twelve, OJ C 150, 15.6.1992, p. 236, following on from the report of the Committee on Development... with the same title. Doc. A3-392/91. Rap: Bindi.

³⁷⁶ The reader should bear in mind that the situation described here is the one that existed in the early 1990s, as seen at the time.

³⁷⁷ The first war, in 1990-91, following the Iraqi invasion of Kuwait.

than expenditure on health and education, diminishing the resources targeted towards growth; in the latter countries, one tenth of their military spending would make it possible to double development aid. Among the other measures put forward by the resolution was a call for donor countries to distinguish between development aid and military aid, to restrict the sale of weapons and to reduce their cooperation with countries whose military spending exceeded their social spending. Another measure suggested was for the United Nations to maintain a register of arms sales.

Based on the observation that the rise in poverty and social inequality was evidence of the failure of the cooperation policies adopted up to then, the resolution called for a new policy for the sector: one that was more democratic and egalitarian on an economic level. This would be part of a new world order for which Europe should act as a catalyst, establishing itself as a guarantor of human and economic rights within the international institutions. The new world order, moreover, opened up the prospect of a new configuration of the UN, which would see the European Community and the developing countries sitting on the Security Council.

The resolution also touched on the problem of immigration into the Community from the South and the East. In deploring xenophobia and racism, it stated that

...The Community must find a democratic solution for all those who have been forced by hunger, civil war and nationalism to abandon their country, defining positive measures to solve the problems, created by immigration, of undeclared labour and working conditions without contracts or social security.

5. The issue of debt and structural adjustment

The resolution described in the preceding section was part of a package of various resolutions identifying the problems of the developing countries at the start of the last decade of the twentieth century.

One of the most serious problems for the vast majority of developing countries was indebtedness, although the resolution specifically devoted to this problem³⁷⁸ concentrated essentially on the ACP countries and, within this group, on the African States. The resolution expressed satisfaction at the specific provisions laid down by the Lomé IV Convention, but regretted the delay encountered in the Council by the Commission's proposal to write off the debts of the Associated States.

As regards the least advanced countries – the ones hardest hit – bilateral support should be eliminated and they should be provided with aid in the form of donations, in line moreover with a declaration by the G7 in London recognising the need for special measures for the least developed countries in the specific field of their debts. More generally, the alleviating measures should be accompanied by the creation of new financial mechanisms taking account of social, environmental and democratic criteria. The resolution also raised the

³⁷⁸ EP resolution of 14 May 1992 on the indebtedness of developing countries, OJ C 150, 15.6.1992, p. 252 following on from the report of the Committee on Development... with the same title. Doc. A3-28/92. Rapp: Laroni.

question of corrupt regimes and called for measures to freeze and seize the assets of corrupt rulers.

The pressing demand made by the industrialised countries for the repayment of debt by the developing countries in the aftermath of the economic crisis suffered in the early 1970s raised the question of structural adjustment in the debtor countries, which had not previously been urged to review their production structures. A resolution on this topic³⁷⁹, approved at the same time as its predecessors, completed the package. The basic approach of this document was to advocate long-term balanced development compatible with the resources and identity of the countries' peoples. To achieve this objective, the developing countries' production and also political structures needed to be upgraded. This in turn, as affirmed by the accompanying report, called for *economic democracy at international level*, since a series of variables determining such adjustment was beyond the control of the developing countries: the regulatory mechanism for the management of their resources, the prices of the raw materials exported and the interest rates on debt.

In the light of these premises, the resolution stated the conditions for cooperation that would help achieve structural adjustment: *social compatibility*, i.e. the integration into the adjustment programmes of their social impact; *environmental compatibility*, i.e. an assessment of the environmental impact of projects; and *political and institutional compatibility*, i.e. the capacity, to be achieved step by step, of the political and administrative apparatus of developing countries to regulate their own adjustment.

Structural adjustment, however, was in any case required to ensure the developing countries' survival in the short term. Two measures were needed for that purpose, one medium-term and the other long-term. The first consisted of easing the burden of debt, which required a willingness and commitment of the industrialised countries to find the necessary resources; the second was an in-depth review of the cooperation policies, transforming them into genuine instruments for human promotion, serving the interests of the populations of the target countries, which needed to take part in decisions on the prices of their raw materials.

What was required of the developing countries was a review of their economic and financial policies, to include reducing their arms expenditure by the equivalent of 5.3% of their gross domestic product, bringing in measures to curb the brain drain and flight of capital, combating corruption, streamlining their top-heavy administrative apparatus, reforming their public sector undertakings, many of which were operating at a heavy loss, and lastly embarking on a genuine democratisation of their political and institutional systems.

Finally, the resolution tackled the question of economic democracy at international level, indicating the instruments needed to achieve it: a reform of certain international organisations such as the UN and the Bretton Woods Agreements, whose policies on structural adjustment were strongly criticised.

³⁷⁹ EP resolution of 14 May 1992 on structural adjustment in developing countries, OJ C 150, 15.6.1992, p. 243 following on from the report of the Committee on Development... with the same title. Doc. A3-59/92. Rap: Melandri.

An economic recovery programme proposed by the Commission to the Council, not subject to formal consultation of Parliament, could be regarded as a response to the need to ensure the economic survival of the developing countries in crisis situations, especially – although not exclusively – the African nations, without distinguishing between those that had or had not signed the Lomé Convention. Crisis situations were considered to be those generated by various events, whether natural, such as drought, or man-made, such as wars.

This would entail an appropriation of a billion ECU, three-fifths originating from the Community and two-fifths from the Member States, and would be in addition to a more modest programme, amounting to ECU 100 million, for Sub-Saharan Africa only, already approved by the Council out of the Development Fund. This was directed towards funding the modernisation of production by the purchase of plant and machinery, the rehabilitation of infrastructure, social stabilisation measures and restoring the functional capacity of the institutional and administrative machinery.

Outside of a consultation procedure, Parliament delivered its opinion by an own-initiative resolution³⁸⁰ welcoming the programme, stating that it would be appropriate to position measures of this kind in an international context and, given the frequency of crisis situations, to set up a permanent intervention instrument. Regarding the content of the programme, Parliament held that priority should be attached to agricultural production and food security, and that local human and financial resources should be mobilised.

The question of structural adjustment arose again a few years later in the course of a consultation procedure on a proposal for a regulation on the subject, put forward with a view to launching an emergency plan for Africa and creating a specific budget heading for this kind of measure, the first of which was strongly requested by the Joint Assembly. Parliament welcomed the initiative³⁸¹, making a few amendments, essentially designed to make the emergency measures consistent with the medium- and long-term development measures, and to enable them to be launched in as timely a manner as possible, even when the crisis and emergency situations calling for them were ongoing.

The accompanying report discussed the definition of rehabilitation and reconstruction without arriving at a precise wording, although based on the same proposal it accepted that the two types of measure were linked, and that the latter should be defined according to the requirements of the former. In actual fact, a definition of rehabilitation was arrived at with reference to the objectives: to put the population in a position where it could contribute by its own efforts to restabilising the economy and living conditions, so as to be able to dispense with humanitarian aid as rapidly as possible.

³⁸⁰ EP resolution of 25 October 1993 on the Commission communication to the Council and the European Parliament on a special rehabilitation support programme in developing countries, OJ C 329, 6.12.1993, p. 77, following on from the report of the Committee on Development... with the same title. Doc. A3-329/93. Rap: Kostopoulos.

³⁸¹ EP legislative resolution of 15 December 1995 embodying the European Parliament's opinion on the proposal for a Council Regulation on rehabilitation and reconstruction operations in developing countries, OJ C 174, 22.1.1996, p. 445, following on from the report of the Committee on Development... with the same title. Doc. A4-301/95. Rap: Andrews.

GENERAL DEVELOPMENT MEASURES

6. Regional economic integration

Regional cooperation, which began in the framework of the Lomé Convention as an instrument to promote trade between neighbouring countries, should be distinguished from *regional integration*: the former is collaboration among states in the same geographical area, typically with the aim of reducing non-political obstacles (such as transport difficulties) to the movement of goods, services, capital and persons, without a supranational structure, whereas integration is a narrower form of collaboration whose aim is to reduce the political barriers to such movement and occurs in many cases (although not necessarily) through supranational structures.

Integration was the subject of detailed consideration by the Commission, which devoted a specific communication to the subject in the second half of the 1990s, when the globalisation of the world economy was accelerating and free trade agreements were proliferating; it was no coincidence that integration was defined as the instrument of a strategy designed *to coordinate economic policies and improve the prospects for sustainable development*.

The European Parliament welcomed the communication³⁸², with certain reservations on the pre-eminently economic approach, expressed more firmly in the report than in the resolution. The report doubted that, even in the case of the least developed countries, regional integration could be said to be a starting point for better global integration; it contrasted this concept with the objectives of the Community's development policy, citing those of aid to the least developed countries and the campaign against poverty, which should also be goals of regional integration.

The resolution took up this approach, stating the basic elements for the European Union's support for regional integration: an understanding of the regional characteristics of the developing world; an assessment of the preconditions for integration in the various regions; and a realistic definition of the timetable for integration.

The resolution also expressed concern at the excessive number of regional organisations in Africa and at the sometimes contradictory and overlapping mandates of these regional organisations, which led to waste and inefficiency, calling on the Commission to promote coordination of the regional organisations in the framework of its relations with the states belonging to those organisations.

7. Fair trade

The European Parliament is also concerned with fair trade, seen as a particularly useful instrument for development cooperation, with three resolutions being issued in the 1990s.

³⁸² EP resolution of 11 April 1997 on the Commission communication on European Community support for regional economic integration efforts among developing countries, OJ C 132, 28.4.97, p. 316, following on from the report of the Committee on Development... with the same title. Doc. A4-86/97. Rapp: Neandle.

The first³⁸³ was very down-to-earth, since it supported the use in the Community institutions of coffee under the brand name of *Max Havelaar*, a scheme whereby small and medium-sized coffee-roasting firms marketed coffee acquired from organisations of small producers in developing countries on particularly favourable terms for the suppliers.

The second resolution³⁸⁴ expressed support for fair trade, which represented a method of cooperation that respected social circumstances and the environment. It asked the Community and Member States to ensure that fair trade activities and representative organisations would be legally recognised and supported, including through grants from the European Development Fund. Tax and customs duty concessions were also requested, as well as measures in favour of developing countries aiming at the diversification of their production. Compliance of such products with Community quality standards should also be facilitated. Above all, the resolution called for the creation of a quality label for fair trade products.

The third resolution³⁸⁵ placed the requests made in the preceding resolutions in an overall context, with a view to a genuine fair trade policy. In particular it proposed a specific budget heading, outlining its use: in developing countries it should fund new fair trade projects along with technical and credit assistance for those projects, as well as promoting the move to the manufacturing phase. In Europe the budget heading should be directed towards projects linking development aid in third countries with development training in the European Union, as well as specific fair trade projects. The resolution also laid down certain criteria for the selection of projects in order to prevent abuse.

³⁸³ EP resolution of 8 October 1991 on coffee consumption as a means of active support for small Third World coffee producers and the introduction of that coffee within the European institutions, OJ C 280, 28.10.1991, p. 33, following on from the report of the Committee on Development... with the same title. Doc. A3-228/91. Rapp: van Putten.

³⁸⁴ EP resolution of 19 January 1994 on promoting fairness and solidarity in North-South trade, OJ C 44, 14.2.1994, p. 119, following on from the report of the Committee on Development... with the same title. Doc. A3-373/93. Rapp: Langer.

³⁸⁵ EP resolution of 2 July 1998 on fair trade, OJ C 226, 20.7.1998, p. 73, following on from the report of the Committee on Development... with the same title. Doc. A3-198/98. Rapp: Fassa.

CHAPTER XIII

COMMUNITY COOPERATION: GENERAL ASPECTS

1. The beginning of the Community's overall development cooperation policy

The European Economic Community laid the foundations for its overall cooperation policy on the basis of past experience in the field, first with the overseas countries and territories and later with the Associated States. In the 1970s the Council and the Commission began to take more concrete steps: in 1972 the Council of Ministers for Development Cooperation met for the first time and Community policy was laid down in a first intervention plan.

At the same time, the European Parliament called for a Community cooperation policy with the developing countries not limited to the Associated States, outlining the areas for intervention: generalised preferences in the area of trade with reduced customs barriers and support for overall agreements on raw materials, financial assistance that for each Member State should amount to at least 0.70% of GDP by 1975, and Community food aid to be provided regardless of market conditions³⁸⁶.

The Commission initiative for international action aimed at the developing countries most affected by price rises should be considered in this context. The plan involved USD 3 billion in extraordinary aid, contributed by the industrialised and oil-producing countries (the Community would contribute USD 500 000). The European Parliament gave its full support to the initiative³⁸⁷ and the following year Parliament assessed the situation in a wide-ranging report³⁸⁸ that covered problems arising in the interim and the actions taken to address them by the Community and, more generally, by the industrialised countries. The European Parliament's position had not altered significantly from 1972. The need to increase food aid was stressed, while more specific priorities were also defined:

- *improving the generalised preferences,*
- *increasing technical assistance in the area of sales promotion,*
- *extending industrial, scientific and technological cooperation,*
- *encouraging the conclusion of international agreements on raw materials,*
- *increasing financial cooperation*³⁸⁹.

³⁸⁶ EP resolution of 4 July 1972 on the memorandum of the Commission of the European Communities on a common development cooperation policy, OJ C 82, 26.7.72, p. 18.

³⁸⁷ EP resolution of 12 July 1974 on the communication from the Commission to the Council on an attempt to neutralise certain international price movements for the most affected developing countries, OJ C 93, 7.8.74, p. 90, following on from Doc. 177/74. Op. cit.

³⁸⁸ EP – Committee on Development and Cooperation - Report on the Community's overall development cooperation policy. Doc. 42/75. Rap: Bersani.

³⁸⁹ EP resolution of 30 April 1975 on the Community's overall development cooperation policy, OJ C 111, 20.5.75, p. 22. Two subsequent resolutions following two international UN conferences should also be noted. The first was EP resolution of 11 February 1976 on the outcome of the Seventh Special Session of the UN General Assembly on development problems from 1 to 16 September 1975 in New York and 'mid-term review and appraisal of the international development strategy for the Second UN development decade', OJ C 53, 8.3.76, p. 17 following on from the report with the same title. Doc. 507/75. Rap: Krall. The report's explanatory statement was an interesting and comprehensive examination of the problems and situation of the Third World, which had taken on greater importance for the international community and its quest for a more favourable distribution of international resources. The second was EP resolution of 11 October 1976 on the preparation, conduct and outcome of the Fourth United Nations Conference on Trade and Development

2. General cooperation instruments and methods

Following its first election by direct universal suffrage, Parliament became aware of its expanded role in all fields of Community activity. In the area of development, this was reflected in a resolution³⁹⁰ that opened by claiming a greater role in aid distribution and utilisation, in part through closer cooperation with the Development Fund management committee. While the Court of Auditors cooperated with Parliament by presenting it with specific reports, Parliament in turn urged the Commission to study, in tandem with the EP committees, the best ways to improve the objectivity and usefulness of the annual management report on financial and technical assistance. This should involve the EIB, which up until then had not carried out any ex-post evaluation of the effectiveness of the projects it had financed, and with which Parliament hoped for closer dialogue, especially when it came to establishing the cost-benefit and educational criteria for projects.

Two years later Parliament gave a response of a more political nature to a Commission document³⁹¹, in the form of a far-reaching and detailed resolution³⁹² that identified the poorest countries as the main target for cooperation. The aim was to equip them for self-sufficient development that would also be open to the outside world, with a high degree of food autonomy and use of local human resources.

In the almost 30-year history of Community cooperation, the wide range of instruments available to the Community had not produced the expected effects, and such results as had been achieved were particularly weak in the areas of agricultural development, environmental protection, industrial cooperation, and the promotion of trade and cooperation in the training sector. Solutions to these shortcomings in the field of cooperation required greater coordination of Community and Member State policies, greater coherence between the Community's development policy and 'internal' policy, and greater international cooperation, especially in the financial area (indebtedness and exchange stability) and as regards establishing political dialogue with the beneficiary countries. In addition to these general solutions, the resolution proposed specific areas of application.

following on from a report with the same title. Doc. 333/76, OJ C 259, 04.11.1976, p. 13. Rap: Deschamps. The resolution complained that the Community was only taking part as an observer at this conference (UNCTAD) and, while accepting its conclusions, it urged the Council and the Member States to accept the principle of a 'new economic order' based on the rights and obligations both of the developing countries and the industrialised countries, taking into account the growing interdependence of the various factors that shape the world economy. A third motion for a resolution (EP – Committee on Development and Cooperation – Report on trade relations between the European Community and the countries of the African continent. Doc. 47/77. Rap: Schuijt) was not debated due to a conflict of competences between committees. The report aimed to place the Community's African policy within the framework of the overall development policy. Like the other parliamentary documents, this report underlined the development needs, going beyond a solidarity-based conception of the problem and proposing a political approach to North-South relations; it referred in particular to Senghor's idea of 'Eurafrica'.

³⁹⁰ EP resolution of 17 September 1981 on the assessment of Community development policies and the role of the European Parliament, OJ C 260, 12.10.81, p. 72 following on from the report of the Committee on Development and Cooperation with the same title. Doc. 1-942/80. Rap: V. Michel.

³⁹¹ Memorandum on the Community's development policy, COM(82) 640 final of 30 September 1982.

³⁹² EP resolution of 8 July 1983 on the European Community's policy towards developing countries (the memorandum of the Commission of the European Communities on the European Community's development policy), OJ C 242, 12.9.83, p. 104. Doc. A1-475/83. Rap: C. Jackson.

These questions were then developed further in a subsequent resolution³⁹³, or rather in the report accompanying it that expanded on the two Commission documents³⁹⁴. It was in fact the report that made particularly clear the need for coordination³⁹⁵ in the various phases of cooperation:

- **policy formulation:** *there were no conventions or other agreements providing for forms of coordination, with the exception of an OECD committee, which only intervened at the request of member countries;*
- **project identification and selection:** *there was a flow of information from the Commission to the Member States, but not in the other direction, and there was no exchange of information with the international cooperation bodies;*
- **project financing:** *coordination was carried out in an effective manner by the EDF committee, but here again it did not deal with bilateral actions by Member States; the desire to share out contracts between interested companies in the various Member States might prevent minimisation of costs, at least where a company could offer lower prices than its competitors;*
- **project implementation:** *coordination was poor and overseen by the Community delegations in the beneficiary countries; one problem was the lack of homogeneity in the equipment used, making training of local staff more difficult;*
- **results analysis:** *exchange of information was lacking and the evaluation system used by the Community did not come up to the standards of those used by the IBRD and the World Bank.*

The resolution expressed its concern about this situation, but unlike other resolutions it did not point to concrete measures, limiting itself to some general calls for the situation to be improved.

3. Decentralised cooperation

Decentralised cooperation was cooperation among non-governmental organisations, not just voluntary bodies but also European regions and local authorities, cooperating with their peers in the developing countries. Introduced first by Lomé III and then in the agreements with the Asian and Latin American countries, decentralised cooperation developed in a variety of forms through the first half of the 1990s. The report on the

³⁹³ EP resolution of 19 February 1987 on the coordination of development aid, OJ C 76, 23.3.87, p. 113 following on from a report of the Committee on Development and Cooperation with the same title. Doc. A2-212/86. Rap: Jackson. The resolution was discussed and voted on together with two other resolutions on desertification and hunger in the world, although the latter issue was somewhat ignored with the main emphasis being given to development cooperation and humanitarian and urgent aid relegated to a secondary plane.

³⁹⁴ Towards better coordination of development cooperation policies and operations within the Community, COM(84) 174 final of 26 March 1984 and The degree of convergence of Member State policies on cooperation and development, PE 98.437 of April 1985. This document was prepared by the Commission's services and transmitted to Parliament.

³⁹⁵ Obviously this does not mean coordination between donor countries/international organisations and beneficiary countries, but coordination among donors.

proposal for a relevant regulation, to which Parliament made no politically significant amendments³⁹⁶, identified three such forms.

The first of these, developing mainly during cooperation with countries with an intermediate level of development, tended to create a network of relations between peer organisations (local authorities, universities, etc.) that operated reciprocally, primarily in the areas of cultural and economic exchanges.

The second mainly involved the least developed countries or those undergoing a transition to democracy. It was essentially participatory since it operated in the traditional fields of cooperation and attempted to help civil society to move in the direction of self-sufficient development, away from its past role as the passive beneficiary of external aid. This form of decentralised cooperation tended to act on the relationship between civil society and the State in developing countries and was in some cases hampered by political authorities.

The third and last model played a supplementary role in countries where official cooperation had been suspended. The reasons for suspension were varied but were mainly political.

Regardless of the precise form of decentralised cooperation in a given situation, the common denominator was always the fact that it was centred on individuals and on social and economic partners on the ground. It was thus better tailored to local realities and proved more effective.

Decentralised cooperation was obviously an essential part of the proposal for a regulation on cofinancing of development actions with the NGOs, which the European Parliament approved with amendments that did not affect the basic structure of the proposal but rather extended eligibility for cofinancing to children's programs³⁹⁷.

4. Complementarity and effectiveness of Community and national cooperation

Parliament responded negatively to a Commission communication on the long-term prospects for cooperation in the 21st century³⁹⁸. The communication was criticised for its purely macroeconomic approach and insufficient analysis of the root causes of underdevelopment. It did not take account of the international economic environment or of social, environmental and cultural factors; nor did it criticise the structural adjustment policy implemented by the Bretton Woods organisations. The latter were so controversial at the time that it was even suggested that the Community should not cooperate with them unless provided with evidence that their policies were actually effective and that their decision-making processes had been democratised.

³⁹⁶ EP legislative resolution of 15 December 1995 embodying Parliament's opinion on the proposal for a Council Regulation on decentralised cooperation, OJ C 17, 22.1.96, p. 458 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-301/95. Rap: Vecchi.

³⁹⁷ EP legislative resolution of 15 December 1995 embodying Parliament's opinion on the proposal for a Council Regulation on cofinancing operations with European non-governmental development organisations (NGDOs) in fields of interest to the developing countries, OJ C 17 of 22.1.96, p. 453 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-300/95. Rap: Paakinen.

³⁹⁸ EP resolution of 30 September 1993 on development cooperation policy in the run-up to 2000, OJ C 279, 18.10.93, p. 18 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-249/93. Rap: Simons.

The resolution did, however, have the virtue of calling for the cooperation policy to follow the line of its founding principles, in other words solidarity with the countries of the South, and with the methods applied within the Community itself. It also called for the elaboration of regional models that would take into account the diversity of the countries involved. Specifically, Parliament called for poverty reduction, promotion of democracy, peace and arms reduction, increased North-South financial assistance (with the 0.7% standard seen as merely a first short-term objective), preparation of a European strategy on indebtedness, balanced agreements on commodities and democratisation of international institutions. Finally, it called for the cooperation policy to be integrated into the Community, notwithstanding the provisions of the Maastricht Treaty.

This last point received fuller treatment, and was partly amended, in a slightly later resolution³⁹⁹ in which Parliament

stressed that the Treaty of Maastricht gave the Community increased powers; noted that the legal measures already existed to improve coordination, but that a stronger political will was needed in order to breathe life into them; asserted that it was necessary to enhance coordination at three levels: the political level, the level of operational coordination (particularly for urgent humanitarian aid), which should be a priority, and the level of international organisations.

Within the framework of Community policies, this was in effect a call for cooperation to be brought within the European system since the Community could ensure better operational application than the Member States, or could at least ensure that actions were implemented in line with the aims of Article 130 of the Treaty. The Community's 'internal' policies should therefore also take account of the needs of development policy.

In order to understand properly the meaning of the later resolutions on the same issue, it must be remembered that even prior to the two resolutions referred to above, the Council had set out its views on complementarity between the development policies of the Community and of the Member States, stating that the main instrument to be used was coordination (November 1992) and that it had also established common policy guidelines for coordination in four sectors (May 1993). In December 1993 it adopted a resolution on operational coordination that provided the basis for a pilot scheme implemented in six states. At the end of May 1996 the Council made a further statement on the need to increase coordination in the light of this scheme, the results of which Commissioner Pinheiro described as disappointing⁴⁰⁰.

Even prior to this statement by the Council, the Committee on Development and Cooperation had been concerned about the slow rate at which coordination was proceeding (again in view of the pilot scheme), and organised a hearing in January 1996, with discouraging results:

³⁹⁹ EP resolution of 28 October 1993 on increased coordination of the development aid provided by the Member States and the Community, OJ C 315, 22.11.93, p. 250 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-293/93. Rap: Pery.

⁴⁰⁰ EP – Committee on Development...- Report on complementarity between the Community's development cooperation policy and the policies of the Member States. Doc. A4-28/97. Rap: McGowan.

- *global coordination ensured by the International Monetary Fund and the World Bank was accompanied by considerable confusion among the European countries in these two organisations;*
- *there could be no coordination at European level without a convergence of views on the formulation of policies in the recipient countries and among the donors;*
- *the activities of the Member States were characterised by a wide range of actors, channels and procedures;*
- *within the European Union there was often closer coordination with external rather than internal actors;*
- *there could be no satisfactory coordination unless the recipient countries were themselves capable of administering aid efficiently; operational coordination among donors, led by donors and at the initiative of donors was extremely restricted; coordination was best where the recipient countries themselves took it in hand and knew how to manage it in any given situation with methods peculiar to each country;*
- *although the European Union was the largest global donor, it had difficulty in making its voice heard internationally and, more particularly, within the International Monetary Fund and the World Bank;*
- *on the ground, European activities were highly disparate in terms of the disbursement of funds and the instruments used; each agency and each Member State had procedures that not only differed widely but were sometimes inconsistent; some European aid was very concentrated on the ground, other aid focused on the capital, and in these circumstances it was very difficult in practice to achieve convergence* ⁴⁰¹.

It was in this frame of mind that Parliament approached the next Commission communication on this issue⁴⁰². It considered that the EU's inability to achieve the complementarity provided for in the Maastricht Treaty was a political failure on the Union's part that was primarily due to the absence of political will in the Member States. This failure was all the more serious since the values on which the common development policy was founded were likely to help the Union to acquire an external identity and make the European identity more recognisable on the world stage. Specifically, Parliament

noted that some Member States rated coordination at global level higher than coordination at European level; believed that the tragedy of the Great Lakes region of Africa demonstrated the urgent need for effective coordination of European Union policies and programmes; believed that the developing countries as well as Europe should benefit from the end of the Cold War and that there was an urgent need for a coordinated effort by the European Union and its Member States drastically to reduce the world's arms trade.

Following criticism aimed mainly at the outcome of a hearing organised by the Committee on Development and Cooperation, the resolution listed a series of proposals defining the

⁴⁰¹ Ibid. Direct quotations are italicised.

⁴⁰² EP resolution of 20 February 1997 on Commission communication to the Council and the European Parliament, COM(95) 160 - C4-0178/95, OJ C 85, 17.3.97, p. 178 following on from Doc. A4-28/97. Op. cit.

role of Parliament and its committee, and foreseeing close cooperation between the latter and the Council.

The question of coordination was closely linked to that of the effectiveness of development policies. This was dealt with in a resolution the following year⁴⁰³, in which the European Parliament called on the Commission to focus its efforts on a smaller number of framework programmes and to better integrate projects using a sectoral approach in order to increase the effectiveness of aid and its impact on the economic conditions in the recipient countries. The Council, on the other hand, would have to resolve the problems involving the implementation of the budget lines created as a result of the centralisation of financing decisions within the Council's management committees.

In addition to these institutional issues, there were also calls to the Member States to undertake evaluations of their own development cooperation programmes, comparable to those used for Community programmes, and to improve coordination.

In addition, the resolution examined the internal measures that the Commission needed to adopt to ensure adequate evaluation. These would include setting up a central unit that would evaluate the more significant projects while they were still in progress with immediate feedback on operations. Parliament should also ensure that it was capable of analysing and evaluating specifically the political aspects, although this should not duplicate the Commission's technical evaluation.

5. Impact of Community policies on the developing countries

Two years after the 1987 resolutions, the European Parliament returned to an argument that was crucial to North-South relations and that affected many interests both in the developing countries and in the Member States: the impact of the common agricultural policy on the developing world. In a new resolution⁴⁰⁴ Parliament dealt with two interconnected aspects, the negotiations on agricultural products within the framework of the GATT agreements and the ongoing reform of the common agricultural policy, in an attempt to prioritise the interests of the developing countries. The resolution took as its starting point the principles agreed under the Punta del Este Declaration of the Uruguay Round: liberalisation of world trade in favour of the developing countries and their inclusion, in a differentiated and preferential manner, in the final agreements, in addition to improved access and enhanced subsidy rules specifically for agricultural markets. The Community was asked to support these objectives and make them the basis for its reform of the common agricultural policy.

In terms of the negotiations themselves, this meant that strict agreements had to be concluded for the reduction of subsidies and that the needs of the developing countries had to be taken into account in every phase of the negotiating process.

⁴⁰³ EP resolution of 16 January 1998 on improving the effectiveness of Community aid, OJ 34, 17.3.97, p. 192 following on from Doc. A4-387/97. Rap: Goerens.

⁴⁰⁴ EP resolution on the common agricultural policy and the developing countries, OJ C 69, 20.3.89, p. 204. following on from the report of the Committee on Development and Cooperation with the same title. Doc. A2-359/88. Rap: Focke.

As far as the common agricultural policy was concerned, the Punta del Este principles involved a reduction in beef subsidies and a restriction on intervention buying, with a continuation of the system supporting imports of cereal substitutes in animal feed, since some developing countries had made considerable investments in this area.

As the entry into force of the single market approached, not just the ACP countries, which frequently referred the matter to the Joint Assembly, but all developing countries with any form of relationship with the Community made their concerns clear. The European Parliament dealt with three aspects of the issue: trade, financial issues and the situation of migrants.

Trade was of obvious concern to the developing countries since they feared that existing difficulties with exports to the 12 national markets of the Member States would be exacerbated. The relevant European Parliament resolution⁴⁰⁵ considered it vital that the completion of the EEC single market should not lead to measures that conflicted with the Community's prior commitments to the developing countries. The latter were already affected by the profound changes that had come about in Europe with the fall of the Soviet Bloc, by alterations in world trade patterns in the wake of the GATT agreements – which reduced the developing countries' ability to protect their own economies – and by increasing integration at regional level that would significantly modify traditional trade patterns. The relevant report, which provided a synopsis of the completion of the single market, showed that the market was not in itself a danger for the developing economies, rather that the core problem was their structural weakness, an idea that was clearly expressed in paragraph 9 of the resolution:

...the level of development of the developing countries (and the tendency of their economies to look outwards to the detriment of local needs) is the decisive factor that will determine their capacity to respond to the dynamic created by the single market...

In spite of this consideration, it was still deemed necessary to examine the difficulties directly linked to the single market and any remedies that might be adopted. In the first instance, it was stated that the Commission should establish an effective mechanism to monitor the trade diversion effects of the establishment of the single market on the less developed countries; it should then counteract these effects by providing the developing countries with any information of use to them, particularly with a view to identifying the most promising economic sectors, and by helping them to develop such sectors. Another important factor that could have had a negative impact on the developing countries was the harmonisation and consequent raising of standards at Community level. These problems needed to be resolved in cooperation with trading partners among the developing countries, by providing them with the means to adapt.

Also important were the products already covered by conventions, such as textiles and bananas, which the resolution cited by way of example. In the case of bananas, the repeal of Article 115 of the EC Treaty allowing the Member States to halt the free movement

⁴⁰⁵ EP resolution of 14 May 1992 on the commercial impact of the single market on the developing countries, OJ C 150, 15.6.92, p. 256 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-40/92. Rap: Pons Grau.

of Community goods that exceeded established quotas would have a negative impact on small producers in the developing countries while benefiting the large American companies.

Meanwhile, the generalised system of preferences had not produced the desired effects on exports from the developing countries and was coming into conflict with the *most favoured nation* concept that had emerged within the framework of the GATT negotiations; and of course the problem of access for goods from the developing countries to the markets of the industrialised nations was mainly dealt with within this framework.

The question of a possible reduction in investment in the developing countries was at the centre of the resolution on financial aspects⁴⁰⁶. The relevant report dealt with the problem in more depth, underlining that in international markets there was not a lack of investment capital, but that high interest rates had a negative impact on investment in the developing countries. There had, however, been an overall rise in investment, even if levels differed greatly from region to region, with significant increases recorded in Asia in particular. The restructuring of the production system within the Community in the run-up to the single market involved capital investment that would not have a negative effect on the beneficiaries of EEC development cooperation. The real problem affecting these countries was indebtedness, since repayments and servicing of debt reversed net financial flows. For this precise reason, the resolution consisted primarily of a call for a debt amnesty in the case of the poorest countries and a deduction of interest already paid in the case of the remaining developing countries.

The question of migrant workers from developing countries was also dealt with in relation to the single market⁴⁰⁷. The European Parliament felt that the relevant policies should enshrine migrants' rights and obligations with regard to the free movement of people, goods and services. The naturalisation criteria should also be harmonised through an intergovernmental agreement and the administrative management of migrants should comply with Community standards, rejecting racism, xenophobia and anti-Semitism.

⁴⁰⁶ EP resolution of 14 May 1992 on the financial impact of completion of the single market on the developing countries, OJ C 150, 15.6.92, p. 259 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-21/92. Rap: Daly.

⁴⁰⁷ EP resolution of 14 May 1992 on the repercussions of the completion of the single market of 1992 for migrant workers from developing countries, OJ C 150, 15.6.92, p. 261 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-393/91. Rap: Mendes Bota.

CHAPTER XIV

COMMUNITY COOPERATION: ACTIONS

THE GENERALISED SYSTEM OF PREFERENCES

1. The origins of the generalised preferences

The generalised system of preferences was a particular type of development cooperation that the Community implemented under an UNCTAD resolution. It took the form of a special tariff regime aimed at encouraging exports from the developing countries, whose percentage share of international trade dwindled drastically between 1950 and 1970, just before the entry into force of the system. The GSP had three main features: it was not a reciprocal arrangement between developing and industrialised countries, it covered all manufactured and semi-manufactured products, and it did not discriminate between developing countries. It covered four categories of goods: agricultural products, textiles, coal and steel, and industrial products not included in the previous categories. However, identifying the individual products that could benefit from the special tariff arrangements was the prerogative of the individual industrialised countries or the organisations representing the various tariff zones to which they belonged, such as the European Community.

Once again in the case of this instrument for development aid, the Community was ahead of its time. Indeed from 1963 on, the EEC had anticipated the later system with a selective and regressive preference system for products from the developing countries, an initiative that had been presented at the first UNCTAD Conference in Geneva in 1964. It was at the second Conference, held in New Delhi in 1968, that the industrialised countries committed themselves to extending without, reciprocity or discrimination, preferences in favour of manufactured and semi-manufactured goods from all developing countries, thus derogating from accepted international law on trade and, in particular, from the most favoured nation rule introduced under the GATT agreements.

Since the UNCTAD Conference resolution left each industrialised country to determine the form of preference, the following year the Council, in response to a Commission proposal, finalised the content of the Community's system of preferences. From a European perspective, the system aimed to increase revenues to developing countries from international trade, thereby stimulating industrialisation and economic growth.

This took a different form for industrial products and processed agricultural products. In the case of the former, the generalised preference consisted of an exemption from tariffs on industrialised products up to a ceiling that was calculated uniformly on the basis of product value. In the case of processed agricultural products, the Community drew up a restricted list of products subject to preferential rates with the option of a safeguard clause⁴⁰⁸.

⁴⁰⁸ The facts outlined thus far are drawn from EP – Committee on External Economic Relations – Interim report on implementing generalised preferences in favour of manufactured and semi-manufactured products from developing countries. Doc. 116/70. Rap: Westerterp.

The European Community applied the generalised preferences for a 10-year term from July 1971. Since up to that date, and even beyond it, the Committee on Foreign Affairs was responsible for this issue within the European Parliament, the Committee on relations with the Associated African States and Madagascar merely delivered opinions annexed to two reports⁴⁰⁹. In these it noted the perplexity felt by the Associated States, criticising the dilemma created for them by the condition imposed by the United States that required them to forego the special preference provided for under the Yaoundé Convention in order to benefit from US generalised preferences. The fundamental request was for generalised preferences to offer measures that benefited the poorest countries in particular, and the committee drew a number of conclusions in this respect:

- generalised preferences should not require the beneficiaries to forego preferences under the Yaoundé Convention and the Convention should not be weakened;
- the Associated States... *had in general only achieved a relative degree of development. If the application of the generalised system of preferences actually had long-term negative effects on them, they should be entitled to some degree of compensation, as had often been recognised in principle. It was, however, essential to provide a more precise definition of the nature of such compensatory measures, indicating clearly what they involved and who would pay for them...*⁴¹⁰;
- the industrialised countries should apply the generalised preferences without discriminating between developing countries.

2. Generalised preferences in the 1970s

From 1973, the Committee on Development and Cooperation took over responsibility for the generalised preferences and referred to Parliament its updating of the system. It was scheduled to come into effect in 1974 and the changes consisted mainly of increases in the maximum quantities that could be imported free of duty. The resolution that followed⁴¹¹ invited the Commission to extend the generalised preferences to other products that were important for the developing countries, notably agricultural products that were vital to the least developed countries.

This was the first in a series of resolutions that followed the evolution of this cooperation instrument year after year, recording progress and criticising ongoing problem areas. However, it was only in 1980, at the end of its term, that an overall assessment of the system was made. It included recommendations for the general direction to be followed in the

⁴⁰⁹ The report referred to in the previous note and EP – Committee on External Economic Relations – Interim Report on proposal from the Commission of the European Communities to the Council (Doc. 65/71) on guidelines and decisions for the European Community's scheme of generalised preferences in favour of manufactured and semi-manufactured products of the developing countries. Doc. 71/71. Rap: Westerterp.

⁴¹⁰ EP Opinion of the Committee on relations with the Associated African States and Madagascar, point 5-3 of the Annex to Doc. 71/71. Op. cit.

⁴¹¹ EP – Committee on Development and Cooperation - Report drawn up on behalf of the Committee on Development Cooperation on the proposals from the Commission of the European Communities to the Council (Docs. 171/73 and 243/73) on guidelines for the application of the European Community's scheme of generalised preferences in favour of developing countries for the year 1974. Doc. 272/73. Rap: Dewulf.

future by the system, now subject to revision every five years⁴¹². The European Parliament resolution regretted the low uptake of the available generalised preferences, which did not exceed 60%, and the fact that it was the semi-industrialised countries that actually benefited from the scheme⁴¹³ rather than the poorest countries. It thus requested that the new scheme differentiate on the basis of the level of industrialisation of the beneficiary countries, favouring the least industrialised countries and giving priority to states not enjoying special preferences such as those under the Lomé Convention. The resolution also called for the scheme to be simplified.

The positions adopted by the European Parliament in this resolution and in subsequent years may be summarised as follows. The list of beneficiary countries should be as broad as possible and, above all, include the least developed countries, differentiating according to development levels and evaluating whether the more industrialised countries might not themselves offer preferences to the poorest countries.

With regard to the products covered, the logic adopted by Parliament was once again that of helping the least developed countries, which explains the repeated call for an extension of access to non-processed agricultural products. This call was partially answered in 1977 when tropical goods were included in the list, but the European Parliament insisted on a progressive extension to products falling within the scope of the common agricultural policy.



Cracked earth desert. Drought is one cause of the increasing incidence of famine in some African countries.

⁴¹² EP resolution of 17 October 1980 embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the guidelines for the European Community's scheme of generalised preferences for the post-1980 period, OJ C 291, 10.11.80, p. 77 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A1-455/80. Rap: A. Pearce.

⁴¹³ 17 countries received 85% of the benefit of the scheme.

Parliament also made calls regarding the methods for applying the scheme, including greater transparency and greater guarantees for beneficiary countries against the application of safeguard clauses allowing the preferences to be suspended in certain market situations. With regard to the rules of origin, Parliament supported regional origin. Finally, the EP requested that preferences be conditional on compliance with international labour regulations.

3. Generalised preferences in the 1980s and 1990s

In 1990 Parliament analysed the functioning of the generalised system of preferences over the previous decade and established its policy for the next 10 years⁴¹⁴, although the Commission stated that this policy could only be finalised after the conclusion of the Uruguay Round of GATT negotiations. At that point, the Commission would present another document on the revision of the generalised system of preferences for the decade 1995-2004 for parliamentary approval⁴¹⁵.

The two resolutions of 1990 and 1994 were largely similar, since little had changed in a rather unpromising situation. Uptake remained low and about 10 countries accounted for 70% of the utilised preferences, while the system was proving to be of no use to the least developed countries.

The observations made therefore also remained largely unchanged in relation to 1980. There were some new arguments: Europe's new geopolitical makeup, which meant that it could call on the Eastern European states to open up their markets to the developing countries, and the introduction of the single market. It was decided that the Commission would have to study the effects of the revised preferences scheme on the single market in addition to its possible effects on internal regional imbalances in the Community and on a range of productive sectors.

The scope of the generalised preferences was limited by the quantitative restrictions placed on some products, although in 1994 the Commission proposed replacing the quantitative restrictions with a modulation mechanism for duty levels, a measure that was approved by the European Parliament.

Respect for the social rights of workers, which had been mentioned a number of times as a condition for any form of development aid, was made central to this 1994 resolution. In fact, the resolution integrated a number of the customary requests into an overall vision of development conceived not merely in terms of economic growth and a solution to the infrastructural and structural problems of the beneficiary countries, but also in terms of qualitative development from a social perspective, thereby encompassing respect for the social rights of workers and environmental questions.

⁴¹⁴ EP resolution of 14 December 1990 on the Commission communication to the Council concerning the generalised system of preferences – Guidelines for the 1990s, OJ C 19, 28.1.91, p. 585 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-335/90. Rap: Christiansen.

⁴¹⁵ EP resolution of 18 November 1994 on the Commission communication to the Council and the European Parliament on the integration of developing countries in the international trading system - role of the GSP 1995-2004, OJ C 341, 5.12.94, p. 243 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-38/94. Rap: Maj Weggen.

This conception in turn engendered the principle of suspending the generalised preferences in cases of violations of social rights and, in line with other positions taken on good governance, in cases of fraud or lack of administrative cooperation.

The problem of fraud, which had already been raised in the 1994 resolution, was thoroughly examined in the subsequent resolution specifically devoted to the question⁴¹⁶. This required continuation of the system to be subject to correct implementation, especially in view of the fact that the EU had become aware of various forms of fraud and welcomed the creation of a dedicated anti-fraud unit for third countries. The resolution also welcomed the introduction as of 1995 of a sanction mechanism for the generalised system of preferences, but regretted that it was not put to greater use.

SPECIFIC COMMUNITY ACTIONS

4. Specific actions: the environment

In the course of the third parliamentary term, the European Parliament dealt with the question of environmental protection and cooperation in two resolutions. The first related to the conservation of tropical forests⁴¹⁷, in which it called on the Commission, the Council and the Member States to... *consider the long-term conservation and management of tropical forests, and respect for indigenous peoples and the forest-dwelling and rural population as an essential priority of a cooperation policy and environmental protection, both by making new financial resources available for this purpose and by contributing to debt relief, since the economic pressure exerted on debtor nations forced them to exploit tropical forests.*

The second resolution⁴¹⁸ took an overall approach to the question of the relationship between cooperation and the environment from the perspective of common problems such as underdevelopment, poverty, indebtedness and population growth. It identified the specific environmental problems appearing in developing countries: deforestation, desertification, impact of farming on the environment, climate change, export of hazardous waste to these countries and growing urbanisation. The measures recommended included a system of 'debt-for-nature swaps' or credits linking debt reduction to environmental improvements, and a ban on imports into the Community of tropical hardwoods. Indeed, incentives were provided to encourage the sustainable use of these hardwoods. Other issues included deforestation due to farming, which also led to the use of polluting chemical substances, and mining technologies that were potentially harmful to the environment. There was also a call to extend the ban on exports of hazardous waste to all developing countries, as provided for under the Lomé Convention.

⁴¹⁶ EP resolution of 22 October 1998 on the Commission communication on the management of preferential tariff arrangements, OJ C 341, 9.11.98, p. 145 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-262/98. Rap: Nordmann.

⁴¹⁷ EP resolution of 25 October 1990 on the conservation of tropical rain forests, OJ C 295, 26.11.90, p. 196 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-231/90. Rap: Santos.

⁴¹⁸ EP resolution of 14 March 1992 on the Community's environmental policy in relation to the developing countries, OJ C 150, 15.6.92, p. 264 following on from the report of the Committee on Development and Cooperation: The Community's environmental policy in relation to the developing countries. Doc. A3-23/92. Rap: Verhagen.

In the fourth parliamentary term, Parliament responded to a proposal for a regulation⁴¹⁹ aimed at providing a legal basis for environmental actions with a report that took the opportunity to define guidelines for a new type of environmental policy for development. Contrary to most thinking in the area, it acknowledged that human beings were not just, or always, destructive of ecosystems but could instead shape them, and that the developing countries were not always exploiters of their natural resources but could sometimes contribute to environmental protection, albeit to an extent limited by their means. It followed that environmental protection was not necessarily contradictory to improvements in living conditions and welfare, but could instead contribute to them.

At the end of the fourth parliamentary term, Parliament gave its opinion on a subsequent proposal for a new regulation to supplement the previous act⁴²⁰, underlining the positions adopted in 1997 and proposing the addition of a definition of sustainable development, understood as *improving the quality of human life within the limits of the underlying ecosystem's capacity to support current and future generations*. Parliament also made it clear that this policy of full integration involved a strategy for integrating environmental policy into the development policy and other Community policies with an environmental impact, including measures to promote the full integration of environmental policy into the development process.

5. Specific actions: demographics, education and training

Following a hearing, the Committee on Development tabled a motion for a resolution, adopted by Parliament⁴²¹, in which for the first time development was linked to demographics, stressing that fair economic structures were a precondition for controlling population growth. This had important and far-reaching social implications, including secure work prospects for both men and women. Among the fundamental principles underlying the European Parliament's vision of development was the belief that this policy should be the result of a process involving the participation of those living in the developing countries. As the resolution stressed, this was particularly true of birth control policy, which had to be situated within the context of overall health policy.

A significant aspect of the resolution was the integration into family policy of adolescent education and literacy, which should also include information on contraceptive methods.

In the wake of this resolution, the Commission published a proposal for a regulation that was approved by Parliament⁴²² with some amendments and that incorporated

⁴¹⁹ EP legislative resolution of 9 May 1996 embodying Parliament's opinion on the proposal for a Council Regulation on environmental measures in developing countries in the context of sustainable development, OJ C 152, 27.5.96, p. 48 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-112/96. Rap: Taubira-Delannon.

⁴²⁰ EP legislative resolution of 5 May 1999 embodying Parliament's opinion on the proposal for a European Parliament and Council Regulation on measures to promote full integration of the environmental dimension in the development process of developing countries, OJ C 279, 1.10.99, p. 173 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-254/99. Rap: van Putten.

⁴²¹ EP resolution of 11 March 1994 on the demographic situation and development, OJ C 91, 28.3.94 p. 340 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-52/94. Rap: Nordmann.

⁴²² EP legislative resolution of 24 May 1996 embodying Parliament's opinion on the proposal for a Council Regulation on aid for population policies and programmes in the developing countries, OJ C 166, 10.6.96, p. 245 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-122/96. Rap: Nordmann.

some of the points of the 1994 resolution, in particular those relating to adolescents and women. Furthermore, and in line with the conclusions of an international conference, it declared that abortion could not be included in family policy. Consequently, pregnancy terminations could not be financed under the regulation to be adopted. There were other anti-abortion amendments, too, such as those denying aid to countries encouraging abortion or encouraging or authorising sterilisation and infanticide.

A subsequent resolution specifically on education further supplemented these provisions⁴²³. The basic principle here was that all children should have at least five years of formal education, with a legal obligation to attend school. Suitable measures should be adopted to ensure application of this rule, either by providing economic incentives or by discouraging child labour in place of school. Simultaneous efforts should also be made to ensure literacy among adults. Both of these policies aimed at children and adults should be pursued without discriminating against women.

The resolution also dealt with the methods used for teaching children. Children should be taught in their native language or in the official languages of the country in which they lived. Parliament criticised the countries that denied them this right and required that teaching programmes and materials take account of specific local factors. Measures aimed at improving the education system from both a qualitative and a quantitative perspective should give priority to capacity-building within the system, with the involvement of local communities.

With regard to secondary education, the resolution prioritised the training of trainees in the technical, crafts and administrative fields and, in particular, support for women looking for their first job.

6. Specific actions: drugs and AIDS

In response to a communication on EU policy on AIDS in developing countries, the European Parliament called on the Commission⁴²⁴ to focus its efforts on a series of actions:

- *providing HIV-free blood supplies, combined with a ban on the uncontrolled sale of blood by institutions and individuals;*
- *improving the systems for training and informing medical staff, in particular as regards blood storage and transfusion practices;*
- *encouraging the use of disposable syringes and allowing them to be distributed free of charge, or measures to ensure effective sterilisation of syringes;*

⁴²³ EP resolution of 13 October 1995 on the communication from the Commission to the Council and the European Parliament on coordination between the Community and the Member States on education and training schemes in developing countries, OJ C 287, 30.10.95, p. 233 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-170/95. Rap: Günther.

⁴²⁴ EP resolution of 15 November 1995 on the communication from the Commission to the Council and the European Parliament on the AIDS policy of the Community and the Member States in the developing world, OJ C 323, 4.12.95, p. 45 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-146/95. Rap: Schmid.

- *stepping up information to opinion-formers such as teachers, local leaders and media representatives (particularly in the form of information programmes for radio and TV journalists);*
- *promoting the distribution of radio receivers that operate without batteries so that information to the population may be improved;*
- *increasing the awareness and responsibility of the population, especially high-risk groups, including tourists, with regard to condom use;*
- *helping to set up advisory and patient care facilities;*
- *encouraging all methods of preventing sexually transmitted diseases and reducing the cost of manufacturing and distributing condoms.*

The resolution also stated that, while respecting local and religious traditions, the fight against AIDS could not be obstructed by exclusively religious considerations.

In response to the resolution, the Commission, which had been carrying out actions to combat epidemics in developing countries for 10 years, presented a proposal for a regulation containing concrete measures to prevent and combat AIDS with an adequate legal framework. The strategy took account of social conditions encouraging the spread of the disease and encouraged the integration of information on AIDS into general information campaigns on hygiene and health.

The European Parliament approved this proposal⁴²⁵ with amendments that extended its application to other sexually transmitted diseases and gave priority both to the highest risk categories and to the poorest countries in order to ensure equal treatment for the North and the South. Some of the amendments were aimed at ensuring respect for human rights in the treatment of the ill.

The actions to prevent and combat AIDS could be linked to those on drugs and drug addiction in the context of various national and international policies. The action to reduce the spread of these substances in developing countries was based on three fundamental principles: complementarity between Community and Member State policies, overall coherence between Community actions and policies, and priority support to beneficiary countries ratifying the three relevant international conventions⁴²⁶. The new measures were useful for drafting the National Drug Control Masterplan jointly with the UNDCP, the UN programme in this area. They were also helpful for implementing this plan and contributed to a reduction in the demand for drugs and to treatment for drug addicts. Since the proposal actually fulfilled a number of the requests made by the European Parliament, it was approved⁴²⁷, although there was some criticism of the manner in which the financial resources were allocated.

⁴²⁵ EP legislative resolution of 9 May 1996 embodying Parliament's opinion on the proposal for a Council Regulation on HIV/AIDS-related operations in developing countries, OJ C 152, 27.5.96, p. 36 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-113/96. Rap: André-Léonard.

⁴²⁶ The following three UN conventions: the Single Convention on Narcotic Drugs of 1954, the Convention on Psychotropic Drugs of 1971 and the Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

⁴²⁷ EP legislative resolution of 19 April 1996 embodying Parliament's opinion on the proposal for a Council Regulation on north-south cooperation in the campaign against drugs and drug addiction, OJ C 141, 13.5.96, p. 252 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-70/96. Rap: Liese.

7. European companies operating in developing countries

The growth in economic relations between the industrialised and developing countries brought an increased presence of European companies in the latter. The European Community responded to the situation by establishing objectives reflecting the various issues and values shaping North-South relations between the 1970s and 1990s.

In the 1970s a proposal for a regulation addressed the question of the protection of private investments made by industrialised countries in developing countries, a sensitive topic in the relationship between the two. The emergence of political regimes characterised by nationalistic ideologies, hostile to so-called 'economic imperialism', which they saw merely as a continuation of colonialism with other methods, led to the nationalisation and expropriation of companies set up in developing countries and belonging to the large industrial groups of the West. Despite the fact that they increased employment and tax revenues in the host countries, these companies were accused of limiting themselves to producing semi-manufactured goods, which deprived the developing countries of the majority of the added value, while having no particular regard for the environment or labour conditions.

The European Community felt that it was necessary to combine two imperatives: industrialisation of the developing countries, which required incentives for private investment, and protection of investments from non-commercial risks, particularly those of a political nature. This also involved reducing the differences between the guarantee measures adopted by each of the Member States. The Commission therefore proposed a regulation guaranteeing private investments against political risks, in other words war, expropriation, non-payment, failure to transfer capital and conversion problems. The guarantee, negotiated by the relevant European office, was issued subject to certain conditions: investment had to be approved by the beneficiary country, involve business sectors that were useful for the country itself and be implemented in a country that had signed an investment guarantee agreement with the Community or a guarantee provided for under its national laws. The European Parliament approved the proposal, incorporating cases of political risk with the risk of *a company ceasing to trade due to legislative or regulatory measures that definitively prevented company business from continuing*⁴²⁸.

In the 1990s the question of European companies operating in developing countries focused more on their conduct in states where national laws provided insufficient protection for the rights of workers. In order to address this situation, a variety of international organisations – as well as some industrial and voluntary associations – promoted the adoption of codes of conduct by the industrial associations of industrialised countries for business operations in developing countries⁴²⁹.

⁴²⁸ EP resolution of 13 February 1974 on the proposal from the Commission of the European Economic Community to the Council for a Regulation laying down a Community system of guarantees for private investment in third countries, OJ C 23, 8.3.74, following on from the report of the Committee on Development and Cooperation on the proposal from the Commission of the European Communities to the Council (Doc. 290/73) on a Regulation laying down a Community system of guarantees for private investment in third countries. Doc. 208/73. Rap: Armengaud.

⁴²⁹ The information in this paragraph is taken from the report of the Committee on Development and Cooperation with the same title as EP resolution of 18 January 1999 on EU standards for European enterprises operating in developing countries: towards a European Code of Conduct, OJ C 104, 14.4.99, p. 180. Doc. A4-508/98. Rap: Howitt.

After the failure of the initiatives by the United Nations Centre on Transnational Corporations, the International Labour Organisation (ILO) approved in 1997 a *Tripartite Declaration concerning Multinational Enterprises, corresponding to the OECD's Guidelines for Multinational Enterprises*. Both of these non-binding documents paid particular attention to environmental protection, minimum work standards, human rights and the rights of children. Among the initiatives of industrial associations, the human rights measures proposed by the Danish industrial confederation are worthy of note. There were also many examples of spontaneous codes of conduct adopted by companies for all sorts of reasons: as a way of signalling social responsibility or improving company image, or as a pre-emptive measure against potential criticism by consumers' associations or other groups.

Parliament had on a number of occasions called for the introduction of codes of conduct at EU level, for example in the 1996 resolution on human rights, in the 1997 resolution on foreign investment and in the 1998 resolution on fair trade. For its part, the Commission set out its position in a reply to a parliamentary question⁴³⁰: the Commission followed with interest all initiatives aimed at establishing voluntary codes of conduct complying with ILO rules, which it regarded as useful for respecting basic social rights. It also saw the introduction of an independent verification and monitoring structure as a useful tool. The Commission was in the process of carrying out a study on the methods and means of promoting a code of conduct for European countries investing in developing countries, but it did not have sufficient powers to impose binding conditions.

The EP resolution approving and encouraging voluntary codes called on the Commission and the Council *to submit proposals, as a matter of urgency, to develop the appropriate legal basis for establishing a European multilateral framework governing companies' operations around the world and to organise for this purpose consultations with companies' representatives, the social partners and those groups in society that would be covered by the code*. A model code of conduct should take account of existing international standards and rules: the two documents by the International Labour Organisation and the OECD mentioned above, the ILO core conventions, the UN Declaration and various covenants on human rights, in addition to a series of acts, still being prepared by the UN, the ILO and the European Union itself on the rights of minorities and indigenous peoples, on the environment, on security forces and on the fight against corruption.

The resolution also called for exclusion from Community funding and the Development Fund of companies operating in the developing countries and violating the fundamental rights of the Treaty on European Union. The European Parliament should appoint special rapporteurs for a period of one year, with annual hearings on particular cases, until such time as the Commission had set up a dedicated monitoring platform.

⁴³⁰ Question No 54 by Richard Howitt: European cooperation and private investment. CARDOC PE4 AP QP/QH H-0804/98.

CHAPTER XV

HUMAN RIGHTS, DEMOCRACY AND DEVELOPMENT

1. The issue of rights and development in general

The title of this chapter echoes that of a 1993 resolution dealing specifically with this subject, although Parliament always placed human rights at the centre of all of its positions on development cooperation. Indeed, the Yaoundé and Lomé Conventions saw progressive acceptance of the founding values of Western democracies in the texts negotiated with the developing countries. Without doubt, the European Parliament insisted on these aspects because it was the Community institution conferring democratic legitimacy on the system as a whole.

There were innumerable position statements on the defence of human rights and democracy in Third World countries and resolutions on these issues were adopted at almost all part-sessions. This document deals only with resolutions responding to the initiatives by the Committee on Development and Cooperation that, in many cases, related to the humanitarian aspects of internal conflicts and crises. It is, however, worth noting one own-initiative resolution⁴³¹ adopted by Parliament, approving a communication from the Commission to the Council proposing that human rights and democracy aspects be included in the development policy. The Council took over this proposal on 28 November 1991.

Following a further communication from the Commission, Parliament delivered its opinion on the implementation of the Council Decision⁴³². The relevant report assessed the democratic situation in each of the three large regions into which the developing countries were divided: Latin America had taken the greatest steps towards establishing solid, democratic political systems while Africa had made less progress and Asia, the leader in terms of economic development, also lagged behind.

As regards the implementation of the 1991 Decision, the report underlined the importance of the Community as a donor but expressed some doubts as to its commitment to its role as a defender of the principles of democracy and respect for citizens. It also criticised a sliding scale of values that was less vigorous in its demands for democratic reform when dealing with countries of greater diplomatic importance. Another issue raised was the fact that the economic preconditions for aid were approached somewhat differently to preconditions such as the proper functioning of democracy.

The resolution established some key principles in the relationship between human rights and development. While the industrialised countries should not use the slow rate at which developing countries were establishing democracy as an excuse to shirk their responsibility to show solidarity, the Community should ensure that its cooperation policy took account of any democratic efforts made. After all, democratic progress could not be sustained without economic development.

⁴³¹ EP resolution of 22 November 1991 on human rights, democracy and development, OJ C 326, 16.12.91, p. 259.

⁴³² EP resolution of 13 July 1993 on human rights, democracy and development, OJ C 255, 20.9.93, p. 47 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-222/93. Rap: Musso.

The resolution stated:

...the Community's attitude to third countries, including developing countries, must be based on a high degree of political responsibility, which will help to enhance the Community's influence and identity, and... in this context such an attitude must make the adoption of any aid, except in cases of humanitarian emergencies, dependent on a careful consideration of the political reality in the recipient country.

2. Democracy and good governance

The 1993 resolution was followed some years later by a proposal for a regulation from the Commission concerning Community actions for democracy and human rights, for which a budgetary line had been made available. The European Parliament⁴³³ approved the proposal, acknowledging that it incorporated the key elements of its own positions on the issues, with some amendments that added good governance to the list of values promoted in the proposal. This concept of good governance included preventing and combating corruption, something that was seen as being of equal importance to democracy and human rights and a value that should be a core element of cooperation and development agreements with third countries⁴³⁴. Other important amendments supported initiatives aimed at abolishing the death penalty and measures to combat sexism, which was put on a par with racism and xenophobia.

Since the Council did not adopt them, Parliament re-tabled its amendments, including those on good governance and sexism⁴³⁵.

3. Integrating gender issues into the development policy

A fundamental aspect of the question of rights was gender equality. This issue, which was part of the industrialised countries' agenda, too, took on particular significance in the developing countries where the status of women was exacerbated by other problems such as poverty and inadequate or non-existent social services.

⁴³³ EP legislative resolution of 17 December 1998 embodying Parliament's opinion on the draft Council Regulation (EC) laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of development, OJ C 98, 9.4.99, p. 230 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-466/98. Rap: Torres Couto.

⁴³⁴ The relevant report in this case made express reference to a paragraph of the resolution of 6 October 1998 on the communication from the Commission to the Council and the European Parliament on a Union policy against corruption, OJ C 328, 26.10.98, p. 46. Among other things, paragraph 10 called on the Council, the Commission and the Member States to ensure that the relevant precautionary measures were coordinated, including the principles of responsible government, transparency and judicial independence as a condition for concluding trade agreements and agreements on assistance, cooperation and development between the EU and third countries.

⁴³⁵ EP Decision of 14 April 1999 on common position (EC) No 15/99 adopted by the Council with a view to adopting a Council Regulation laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of development, OJ C 219, 30.7.99, p. 215 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-135/99. Rap: Torres Couto.

The Commission proposed a regulation aimed at integrating gender issues into the development policy. In its report the Committee on Development and Cooperation⁴³⁶ outlined the situation in detail, starting with a demographic breakdown by gender that showed considerable variations between the different areas, depending, for the most part, on the relevant political and social situation. In particular, *better access for women to education, employment opportunities and methods of contraception meant later marriage, fewer children and better quality of life. As a result, a global strategy for combating poverty and promoting better education and healthcare, including better legal status and labour market participation for women and the inclusion of women on an equal standing in all political and social decision-making processes* should accompany population planning policies and be integrated into the development cooperation actions of the European Union. The report therefore also examined the implications of a range of policies, including energy policy, on women.

The section on the relationship between women in the Third World and migration was particularly significant. Contrary to the common stereotype that portrayed women as being left to manage the home while men emigrated or following their men to the industrialised countries, the reality was that women emigrated in order to find work for themselves. The EU therefore needed a specific project for migrant women.

The proposal for a regulation was welcomed by the report, as long as it did not turn into studies and seminars, but actually promoted genuine participation by women on an equal basis in the planning, implementing and monitoring of all of the actions. It stated clearly that there could be no democracy without legal, economic, political and social equality for women. The report thus established some of the objectives that would later become amendments to the Commission proposal⁴³⁷: improving women's living conditions, involving women in food security actions, developing basic health services and other more general services. Other goals included providing adequate professional and craft-based training and creating more commercial outlets for traditional female activities.

Other amendments were subsequently taken over in the Council's common position⁴³⁸.

4. The issue of antipersonnel mines

In 1980 a UN Convention was adopted to regulate the use of some particularly lethal and indiscriminate forms of conventional weapons including anti-personnel mines, regardless of their type or particular technical characteristics. These mines cause death and injury even after the conflicts during which they were laid have been resolved, hampering a return to crop cultivation and striking children first and foremost.

⁴³⁶ EP – Committee on Development and Cooperation - Report on the proposal for a Council Regulation on integrating gender issues in development cooperation. Doc. A4-318/97. Rap: Junker.

⁴³⁷ EP legislative resolution of 19 November 1997 embodying Parliament's opinion on the proposal for a Council Regulation on integrating gender issues in development cooperation, OJ C 371, 8.12.97, p. 69.

⁴³⁸ EP Decision of 17 September 1998 on the common position adopted by the Council with a view to adopting a Council Regulation on integrating gender issues in development cooperation, OJ C 313, 12.10.98, p. 137 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-291/98. Rap: Junker.

However, the Convention was not ratified by all the Member States and in 1992 Parliament called on all EU countries to sign it⁴³⁹. In March 1995 there was a hearing on the issue and in May the Council adopted a joint action aimed at combating the indiscriminate use and proliferation of mines, calling for a moratorium on exports of mines that were not detectable or self-destructing, and banning exports of all forms of mines to countries that had not ratified the UN Convention.

Parliament adopted a new resolution⁴⁴⁰ on the issue and invited the Member States to introduce national legislation banning the manufacture, stockpiling, transport, sale, import, export and use of mines and blinding weapons and called for the destruction of existing stockpiles and a halt to technological research in the sector. Although Parliament welcomed the joint action adopted by the Council, it regretted that the proposed moratorium was limited to mines that were not detectable or self-destructing, and called on the Community to play a greater role in international mine clearance.

5. The Somali issue

The resolutions adopted in response to the Committee on Development and Cooperation's own-initiative reports on specific situations in countries or regions severely affected by political crises or wars generally focused on the humanitarian aspects. One exception was the resolution on Somalia⁴⁴¹, which was based on a complex report dealing with the political aspects of the situation.

The resolution began by stating that the lack of clear political objectives of the UN intervention and the lack of coherence of the means used had seriously undermined its effectiveness and it would therefore be advisable to carry out an overall re-examination of the strategies used by the United Nations and the 24 countries involved in the military contingent taking part in the UN mission. Despite this, the planned withdrawal of UN forces should not mean giving up on the pursuit of a solution to the Somali crisis, which was essentially due to fighting between local factions. In particular, the withdrawal of UN forces must not deprive the NGOs operating in Somalia of protection. As for the political situation, any effective solution had to be achieved by the Somalis themselves.

Parliament called for increased Community cooperation on two levels: humanitarian aid to be delivered above all by the NGOs, and development, for which the funds already allocated to Somalia under Lomé III and Lomé IV should be used.

⁴³⁹ EP resolution of 17 December 1992 on the injuries and loss of life caused by mines, OJ C 21, 25.1.93, p. 161.

⁴⁴⁰ EP resolution of 29 June 1995 on Anti-personnel landmines: a murderous impediment to development, OJ C 183, 17.7.95, p. 47 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-149/95. Rap: Cunningham.

⁴⁴¹ EP resolution of 19 January 1994 on the situation in Somalia, OJ C 44, 14.2.94, p. 115, following on from the report of the Committee on Development and Cooperation with the same title. A3-348/93. Rap: Vecchi.

6. Democratisation in West Africa

The European Parliament's resolution on West Africa⁴⁴² was more optimistic, expressing satisfaction with the progress made in the process of democratisation in this vast and varied area⁴⁴³.

The relevant report described progress in democratisation in the various countries of the region, noting in general the presence of associations and organisations supporting democratic values, which were a remarkable new feature on the African scene in this four-year period (1990-1994). Breaking down the 24 countries of the region, 13 had made significant steps towards building a democratic system and of these seven had seen changes in government.

This did not mean that fully-fledged democracy had been achieved and in many cases democratisation had been merely formal, allowing a given political class to remain in power, without, however, resorting to violence. Some of these façade democracies were supported by the industrialised countries in the pursuit of their own interests with the connivance of local political classes dependent on such support. These cases constituted the so-called 'useful Africa', and the resolution called on European countries to withdraw support from such countries, and to apply sanctions and suspend cooperation, except for humanitarian aid. On the other hand, African states working genuinely to bring about effective democracy were deserving of support. Special training programs should be launched to help associations teaching democratic values to social categories that might play a fundamental role in the struggle for democracy: judges, lawyers, the armed forces and public sector employees in general.

The resolution specifically called on the Council and the Commission to ensure that Article 5 of the Lomé Convention⁴⁴⁴ was amended and adjusted in line with the conventions concluded with other developing countries in which democracy and human rights were a crucial element of cooperation.

⁴⁴² EP resolution of 22 April 1994 on the democratisation processes in the countries of West Africa, OJ C 128, 9.5.94, p. 432 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-195/94. Rap: Braun-Moser.

⁴⁴³ By West Africa the report means the following 24 countries: Benin, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Congo (the present Republic of Congo, the capital of which is Brazzaville), Ivory Coast, Equatorial Guinea, Guinea-Bissau, Guinea, Gabon, Gambia, Ghana, Liberia, Mali, Mauritania, Niger, Nigeria, Sao Tomé and Príncipe, Senegal, Sierra Leone, Togo and Zaire (the present Democratic Republic of Congo, the capital of which is Kinshasa).

⁴⁴⁴ Article 5 of Lomé IV established the purposes of cooperation in relation to fundamental human rights and freedoms and human dignity but made no mention of democratic values.

CHAPTER XVI

FOOD AID

1. The economic and food crisis of the 1970s

The 1970s were characterised by the strong focus of public opinion in industrialised countries on development cooperation and the problems of hunger affecting many Third World countries.

The main cause of hunger was the fact that the population was expanding at a faster rate than agricultural productivity⁴⁴⁵. Other contributing economic causes were drought due to climatic conditions, increased meat consumption (and consequently of cereals used for cattle fodder) in industrialised countries, and the increase in prices of agricultural products and farming costs (fertilisers and pesticides).

The rise in agricultural costs was the end effect of the economic crisis of the 1970s and affected the developing countries in particular, adding to the problems of the food crisis per se. The root cause was the halting of petroleum exports by oil-producing countries after the Arab-Israeli War of 1973, which led to a serious energy crisis. This in turn led to higher prices for certain goods that developing countries imported: cereals, fertilisers, pesticides and industrial products in general. The balance of trade of Third World countries fell by USD 7.7 billion in the two-year period 1972-74, of which USD 3 billion was accounted for by the 30 worst hit countries⁴⁴⁶ (60% of these countries' exports and double the aid received).

There was a high level of awareness of this crisis internationally due to the greater role assumed by developing countries within the UN after decolonisation, where more effective coordination even allowed them to determine the agenda and the direction of debates.

2. Food cooperation on a global scale

The food issue was on the agenda of numerous countries and international organisations and found permanent institutional form in the FAO⁴⁴⁷. Its Director-General, Addeke Hendrik Boerma, drew up a plan for international cooperation on basic agricultural products and food aid, and used it as a basis for organising the World Food Conference in Rome in November 1974. The report of the Committee on Development and Cooperation on this Conference⁴⁴⁸ was interesting not just for its comments on the decisions reached at

⁴⁴⁵ See EP report of the Committee on Development and Cooperation on the proposal from the Commission of the European Communities to the Council (Doc. 37/74) for a communication on the food aid policy of the European Economic Community. Doc. 171/74. Rap: Seefeld. The report, which contained an exhaustive treatment of the doctrines in question, suggested remedies in the form of increased food supply and population control, stressing that population control would be opposed in the Third World countries.

⁴⁴⁶ Data from EP report of the Committee on Development and Cooperation concerning an attempt to neutralise certain international price movements for the most affected developing countries. Doc. 177/74. Rap: Sandri.

⁴⁴⁷ The Food and Agricultural Organisation, a special UN body. Its mission statement provided a history and timeline of UNCTAD, the UN body devoted to trade and development, in addition to detailed coverage of the historical positions taken by UNCTAD, underlining the predominant role played within the organisation by Third World countries.

⁴⁴⁸ EP - Committee on Development and Cooperation - Report on the outcome of the World Food Conference (Rome, 5 to 15 November 1974) and on the Community's position as regards a world food policy. Doc. 326/75. Rap: Glinne.

the event, but also for its account of the behind-the-scenes diplomatic activity during and in the run-up to the Conference.

Despite some differences among the Member States, the European Community accepted most of the Boerma plan: a commitment to increased agricultural production in the developing countries, a food early warning system and coordination of stockpiling policies. The Community, however, rejected the proposal for an international office to coordinate aid. The European position differed from that of the United States, which in its conclusions the report suspected of wanting to use its aid policies to further foreign policy aims, like the Soviet Union and China. The Conference closed with a series of resolutions adopting the Boerma plan, in particular the establishment of a world food council, an early warning system and an agricultural development fund.

A year after the event, the European Parliament adopted a resolution on the Conference⁴⁴⁹, *calling on the Community and the Member States to join the International Fund for Agricultural Development as soon as possible and welcoming the decision by the Council and the Member States to participate in a Global Information and Early Warning System on Food and Agriculture, these two institutions being essential for world food security.* The remainder of the resolution concentrated on the Community's policy on cooperation for agricultural development and food aid.

3. Community policy on food aid (1974-1980)

The Community was active not just at international level in supporting the Boerma plan or at least some of its essential policies. The Commission was dealing with the most serious food crises and making specific proposals to the Council on the Community's food aid policy. Within the framework of the Food Aid Convention, which was part of the Kennedy Round, the European Community and the Member States committed themselves to contributing food aid amounting to 1 287 000 tonnes of cereals in the 1973/74 campaign, and thousands of tonnes of other food products under other international agreements⁴⁵⁰. There was, however, the problem of a lack of coordination between Community and Member State actions, in addition to the problem of increasing food aid.

The European Parliament focused on these issues, supporting the efforts made by the Commission to achieve better coordination of aid, while calling for the establishment of basic common principles for a long-term food aid strategy. In particular, Parliament welcomed the efforts by the Commission to separate food aid policy from agricultural policy, stressing above all that food aid could not be considered a definitive solution absolving the Community of its duty to address the cause and effect chain linking unemployment, poverty, low spending power, low demand for food products and malnutrition⁴⁵¹.

⁴⁴⁹ EP resolution of 14 November 1975 on results and effects of the World Food Conference (Rome - 5 to 15 November 1974) and on the position of the Community on world food policy, OJ C 280, 08/12/1975 p. 65.

⁴⁵⁰ EP – Committee on Development and Cooperation - Doc. 171/74. Op. cit.

⁴⁵¹ EP resolution of 12 July 1974 embodying Parliament's opinion on the proposal from the Commission of the European Communities to the Council on a communication on EEC food aid policy, OJ C 93, 7.8.74, p. 88.

Food aid management was unsatisfactory, as a report⁴⁵² drawn up some years later would show. The report underlined critical points, the first of which was the long decision-making process, taking from two to seven months and requiring Council deliberations even on the details, all of which slowed up aid distribution. In fact, 82% of 1976 aid was only distributed in the following year and 60% of 1977 aid was distributed in 1978. This situation also generated protests on the part of the beneficiary states. The report related to a Commission proposal aimed at speeding up decision-making and it was approved by Parliament with some serious reservations concerning the legal basis and the classification of expenditure⁴⁵³. A subsequent Commission proposal with a similar aim was approved by Parliament in its resolution of 16 March 1979⁴⁵⁴.

The improvements introduced rendered Community action more effective but did not prevent – and indeed were not aimed at preventing – a further deterioration of the global situation. This situation was linked to the broader problem of underdevelopment in another resolution⁴⁵⁵, which called on the Commission and the Council to establish a proper agricultural and food policy in line with the conclusions of an FAO conference held in July 1979. Above all, it called for additional appropriations to be allocated to food aid. It was followed in 1980 by the more substantial resolution on the European Community's contribution to the campaign to eliminate hunger in the world⁴⁵⁶. The relevant committee report⁴⁵⁷ took as its starting point a deep-seated, and at the time wide-spread, conviction about the causes of hunger:

Without question this situation is the result above all of the faulty development of agriculture and more generally of the economies of these countries. The fact that many developing countries have specialised in the production of one or more agricultural raw materials destined for export has not only come about to the detriment of crops destined for the internal market and the food needs of local inhabitants, but has also made these countries doubly dependent on the international market where prices are to a great degree controlled by a few multinational companies and are vulnerable to fluctuation due to speculation.

On the basis of these considerations, the resolution called for a profound change in the production methods and way of life of industrialised countries, the reallocation to development of a portion of the arms expenditure, and the transfer of financial and

⁴⁵² EP – Committee on Development and Cooperation- Report on the communication from the Commission of the European Communities to the Council (Doc. 237/78) on procedures for the management of food aid. Doc. 414/78. Rap: Lezzi. This was the second version of the report (Doc. 320/78) with the same title that Parliament had transmitted to the Commission on 12 October 1978.

⁴⁵³ EP resolution of 14 November 1978 embodying Parliament's opinion on the communication from the Commission of the European Communities to the Council on procedures for the management of food aid, OJ C 296, 11.12.78, p. 16. The question raised and any reservations expressed are dealt with in the next paragraph.

⁴⁵⁴ EP resolution of 16 March 1979 embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for I. a Regulation on the management of food aid; II. a Regulation amending Regulations (EEC) No 2052/69, (EEC) No 1703/72 and (EEC) No 2681/74 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid, and repealing Decision 72/335/EEC, OJ C 93, 9.4.79, p. 75 following on from the report of the Committee on Development and Cooperation with the same title. Doc. 669/78. Rap: Lezzi.

⁴⁵⁵ EP resolution of 16 November 1979 on hunger in the world, OJ C 309, 10.12.79, p. 42. The motion for a resolution was tabled by the members of the Committee on Development and Cooperation.

⁴⁵⁶ EP resolution of 18 September 1980, OJ C 265, 13.10.80, p. 37.

⁴⁵⁷ EP – Committee on Development and Cooperation - Report on the European Community's contribution to the campaign to eliminate hunger in the world. Doc. 1-341/80. Rap: B. Ferrero.

technological resources to less favoured regions and countries. Specifically, the European Parliament called on the Community to support international mechanisms for allocating oil revenues, an extension of the competences of the World Bank, refinancing of the International Monetary Fund, and utilisation of IMF resources taking into account the specific nature of the developing countries. In particular, it called on the Commission to make funds available for the refinancing of the International Fund for Agricultural Development. The European Parliament paid special attention to specific Community operations promoting rural development, and called for adequate financial and technical assistance to allow developing countries to design their own food strategies independently, thereby avoiding the risk that efforts to support the non-associated developing countries would have a negative impact on those to support the ACP countries. The new importance of rural development was underlined by the fact that it came to be seen as linked to food aid, which should take agricultural and rural development into account.

Two years later Parliament monitored the extent to which its resolutions had been applied, in particular that of 18 September 1980⁴⁵⁸. The new resolution was a large and timely document, and the relevant report described the measures adopted by the Commission. The resolution defended the usefulness and, above all, the viability of its position over the two-year period, *regretting, however, in the light of the steady deterioration in the food situation, that the implementing decisions had fallen short of what was called for in Parliament's proposals and resolutions*. It called on the Member States to contribute 0.15% of their GDP by 1985 to the least developed countries, to establish a timetable for achieving as soon as possible the goal of donating 0.7% of their GDP to development, and to present concrete proposals for combating hunger in the world within the framework of North-South dialogue. Furthermore, it called on the Commission to support the planning of food strategies, country by country, in addition to other more specific measures.

Further criticism had been formulated two months previously in a resolution adopting a position on a report by the Court of Auditors on food aid policies⁴⁵⁹. In this resolution the European Parliament stated that the Community was not yet in a position to take a decisive role in combating hunger in the world, both because it lacked an overall vision of development policy and because food aid was too oriented towards the needs of the European agricultural market, prioritising the disposal of existing internal agricultural surpluses. Furthermore, there was no exact definition of the functions, the objectives of food aid action, or the procedures to be implemented for such aid, nor had there ever been a satisfactory analysis of the results achieved. This led to an unplanned and casual approach that prevented the best possible use of aid funding. In order to remedy this situation, the resolution proposed that the general guidelines for the multiannual plans should be adopted by the Council acting by a qualified majority, following a proposal from the Commission and an opinion from Parliament. It also recommended that the expenditure be classified as non-compulsory and that the Commission implement the

⁴⁵⁸ EP resolution of 17 June 1982 on measures following the European Parliament's debate on world hunger, the communication from the Commission to the Council concerning a plan of action to combat world hunger and the motions for resolutions tabled on this subject, OJ C 182, 19.7.82, p. 76 following on from the report of the Committee on Development and Cooperation with the same title. Doc. 1-281/82 corr. Rap: V. Michel. Most of the resolutions and reports on the annual regulations on food aid raised the same problem, this resolution doing so in most detail.

⁴⁵⁹ EP resolution of 20 April 1982 on problems in the implementation of Community food aid policy in the light of the report of the Court of Auditors, OJ C 125, 17.5.82, p. 40 following on from the report of the Committee on Budgetary Control with the same title. Doc. 1-98/82. Rap: U. Irmer.

measures autonomously and take responsibility for them. A resolution was also adopted on a proposal for a regulation that is dealt with below.

Parliament did, however, view the special programme to combat hunger positively⁴⁶⁰. It established a dedicated budgetary line for 1983 that Parliament very strongly supported. The resolution was the first application of the joint declaration of 30 June 1982 that had seen the three political institutions improve their budgetary procedures. It also supported food strategies in the beneficiary countries, providing funding for agriculture throughout the productive cycle.

The actions supporting agrarian reform in the non-associated countries of Central America were a particular example of Community intervention. The special action proposed by the Commission came under two headings: immediate aid supporting imports and specific aid for agrarian reform, which was regarded as an essential step towards restoring food self-sufficiency in these countries. The European Parliament's response was broadly positive and it proposed a number of key objectives: restructuring the economy in the countries in question, improving agriculture in order to achieve food self-sufficiency and promoting industrialisation in the farming sector⁴⁶¹.

The least developed countries were another special case and the Commission proposed a specific regulation on exceptional food aid for them. Parliament welcomed this initiative⁴⁶², but warned that this exceptional aid should not lead to a reduction in ordinary aid. There was also an institutional question: the



Food aid for Sudan. Sudan was one of the first countries to receive food aid in the 1970s.

⁴⁶⁰ EP resolution of 15 April 1983 closing the procedure for consultation of the European Parliament on a proposal from the Commission of the European Communities to the Council for a Regulation on the implementation of the special programme to combat hunger in the world, OJ C 128, 16.5.83 p. 109 following on from the report of the Committee on Development and Cooperation. Doc. 1-114/83. Rap: M. Cassanmagnago Ceretti.

⁴⁶¹ EP resolution of 19 November 1982 on the communication from the Commission of the European Communities to the Council concerning special action in favour of the economic and social development of Central America and closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision completing the general guidelines for 1982 concerning financial and technical aid to non-associated developing countries, OJ C 334, 20.12.82, p. 128 following on from the report from the Committee on Development and Cooperation with the same title. Doc. 1-784/82. Rap: V. Michel.

⁴⁶² EP resolution of 16 December 1981 embodying the opinion of the European Parliament on a proposal from the Commission of the European Communities to the Council for a Regulation concerning an exceptional food aid for the least developed countries (LDCs), OJ C 11, 18.1.82 p. 42 following on from the report of the Committee on Development and Cooperation with the same title. Doc. 1-817/81 Rap: R. Cohen.

European Parliament, unlike the Council, which had brought pressure to bear on the Commission, was of the opinion that these measures did not require a specific regulation, something that had caused it to reject the proposal on an earlier occasion.

4. The conflict over the classification of food aid expenditure (1982-1986)

The question of combating hunger in the world was bound up with the delicate question of how to classify the necessary expenditure in the budget. The issue related to the budgetary powers of the European Parliament: if such expenditure were compulsory, the Council would have the final decision on the matter; if, however, it were non-compulsory, the decision, which affected the size of the allocations, and therefore obviously the amount of aid granted, would lie with the European Parliament. The question also had significant repercussions for the effectiveness of aid since the conflict blocked adoption of the proposed regulations needed to improve the system. In a spirit of goodwill, Parliament tended to deliver favourable opinions on these proposals alongside reservations rather than simply rejecting them.

At the root of this 'quarrel' was a proposal for a regulation⁴⁶³ in which the Commission for the first time applied Article 43 of the Treaty, concerning agricultural policy, as the legal basis for the provision of food aid, thereby rendering the expenditure compulsory and depriving Parliament of a final decision on the matter. The Commission's aim was to speed up the procedures but the European Parliament, while supporting this aim, was of the opinion that Article 235 was more appropriate, as it provided the legal basis for development aid and classified the expenditure as non-compulsory. In other words, it gave the budgetary authority, not just the Council, the power to determine the appropriations concerned and convert them into the annual or multiannual quantities of food indicated by the Council. As a result of this position, the resolution of 14 November called for consultation with the Council and the Commission.

A response to Parliament's position came, at least formally, in the subsequent Commission proposal, on which Parliament delivered its opinion in the above-mentioned resolution of 16 March 1979. Article 235 of the EEC Treaty had in fact been taken as the legal basis together with Article 43 and the resolution welcomed this. However, the procedures in force still gave the Council the final decision, as noted in a resolution of 20 April 1982.

Moreover, the reference to Article 235 in the Commission's 1978 proposal was no more than an isolated instance, as would soon be seen from its 1982 food aid proposals. The relevant EP resolutions⁴⁶⁴ approved these proposals, but underlined the lack of a framework regulation (which was at the time the subject of consultation⁴⁶⁵) and reiterated Parliament's reservations about Article 235 of the Treaty as the legal basis and about the classification of the expenditure as non-compulsory. Two further requests regarding the Commission's powers were also added: the Commission should designate the aid beneficiaries while the

⁴⁶³ On which Parliament delivered its opinion in the resolution of 14 November 1978. Op. cit.

⁴⁶⁴ EP resolution of 20 April 1982 embodying the opinion of the European Parliament on proposals from the Commission of the European Communities to the Council for Regulations concerning food aid in 1982, OJ C 125, 17.5.82, p. 24 following on from the report of the Committee on Development and Cooperation with the same title. Doc. 1-34/82. Rap: Lezzi.

⁴⁶⁵ This was the conciliation called for in the EP resolution of 14 November 1978.

food aid management committee should have a purely advisory role. By approving the regulation, the resolution implicitly dismissed the rejection of the Commission proposal contained in the opinion delivered by the Committee on Budgets⁴⁶⁶. Indeed, on this whole issue of the classification of food aid expenditure, there was a noticeable divergence between the two committees, not on the content of Parliament's position but rather on the strategy to be used to support it. The Committee on Development and Cooperation aimed to avoid any negative impact on aid programmes, while the Committee on Budgets was more concerned with the question of parliamentary powers. Of course, as the latter itself stressed in its opinion, a firm position could not harm food aid.

The European Parliament followed a different strategy for the 1983 Regulation and it did not deliver an opinion as it believed the framework regulation to be invalid, although later it revised this approach, which effectively excluded it from the legislative procedure. For the Regulation of the following year it amended the text of the act, replacing references to Regulation (EEC) No 3331/82 with others referring to an earlier Regulation of 1975⁴⁶⁷.

The problem arose again in 1985 when the proposal for a regulation once again referred to Regulation (EEC) No 3331/82, which the Council had approved without taking account of Parliament's vote after unilaterally suspending the consultation procedure. The European Parliament resolution⁴⁶⁸, *careful to avoid hindering food aid processes, gave a positive response to the call for consultation...* and delivered a favourable opinion with some reservations regarding a new basic regulation and a new regulation laying down implementing rules after adoption of the 1985 budget. The opinion delivered by the Committee on Budgets was much firmer on the parliamentary positions, stressing that the proposal contradicted the Joint Declaration of 30 June 1982, which among other things regulated the classification of expenditure. The Committee on Budgetary Control, for its part, delivered a detailed opinion that provided a summary of the consultation process and the positions taken by Parliament, proposing that the resolution be postponed until after the 1985 budget pending a new Commission proposal⁴⁶⁹. This position was reiterated in 1986⁴⁷⁰ with a firm call to the Commission to present a new proposal for a basic regulation.

Finally, in the same year the Commission proposed a new framework regulation that repealed and replaced the contested 1982 act. Parliament approved the proposal with

⁴⁶⁶ Opinion of the Committee on Budgets in EP – Committee on Development and Cooperation – Report. Doc. 1-34/82. Op. cit.

⁴⁶⁷ EP resolution of 13 April 1984 closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation laying down implementing rules for Regulation (EEC) No 2750/75 on food aid policy and food management, OJ C 127, 14.5.84, p. 252 following on from the report of the Committee on Development and Cooperation on the proposal from the Commission of the European Communities to the Council (Doc. 1-1453/83 - COM(84) 26 final) for a Regulation laying down implementing rules for Regulation (EEC) No 3331/82 on food aid policy and food management. Doc. 1-119/84. Rap: P. Lezzi.

⁴⁶⁸ EP resolution of 15 February 1985 closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation laying down implementing rules for Regulation (EEC) No 3331/82 on food aid policy and food aid management, OJ C 72, 18.3.85, p. 136 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-1708/84. Rap: Galland.

⁴⁶⁹ The opinions delivered by the two committees concerned the report referred to in the previous note. The joint declaration was consulted by the author in the document CARDOC PE1 P2 102/PARR DISC-19820101 0270.

⁴⁷⁰ EP resolution of 17 January 1986 closing the procedure for consultation of the European Parliament on the proposal from the Commission to the Council for a Council Regulation (EEC) laying down implementing rules for Regulation (EEC) No 3331/82 on food aid policy and food aid management and an amended proposal for a Regulation laying down implementing rules for Regulation (EEC) No 3331/82 on food aid policy and food aid management, OJ C 36, 17.2.86, p. 209 following on from the report of the Committee on Development and Cooperation. Doc. 2-201/85. Rap: Gueurmeur.

some amendments⁴⁷¹. In fact, its approval was far from enthusiastic since doubts and confusion lingered, as clearly outlined in the relevant report. In particular, the reference to amounts allocated in the budget for food aid rather than to actual quantities of foodstuffs foreshadowed a later problem, as fluctuating prices could alter the quantities calculated when drawing up the draft budget. This could in turn affect the quantities of aid allocated within the various classes of goods, and Parliament needed to establish these quantities in such a way as to reflect the real needs of the developing countries and their traditional diets. On an institutional level, the proposal for a regulation clearly defined the Council's powers with regard to the aid provided within the framework of the Lomé Conventions, which was classified as compulsory expenditure. However, it made no mention of the European Parliament's powers with regard to the remainder of the aid classified as non-compulsory expenditure. Another issue that had also emerged in previous resolutions and reports was the fact that the existing management committee effectively assumed authority in place of the Commission on important decisions on food aid. Parliament, which would have preferred the body to be abolished, finally agreed to it being turned into an advisory committee⁴⁷².

5. The years of reflection

*The farmers of the Third World must feed the inhabitants of the Third World.
We in the industrialised countries must help them to achieve this task⁴⁷³.*

This summary conclusion of a report dating from the last months of the parliamentary term of the first Parliament to be elected by direct universal suffrage summed up a philosophy that in time would gain growing support and that aimed to replace food aid with agricultural development aid, except in emergency situations such as natural disasters or wars. In all other situations, the sending of foodstuffs had already been criticised by some experts as ineffective in terms of eliminating endemic malnutrition and actually harmful in other ways: it altered nutritional habits and thus created increased dependence on imports. Furthermore, it reduced the price of foodstuffs and acted as a disincentive to farming by reducing or wiping out profits. The European Parliament⁴⁷⁴, which had constantly criticised the link between food aid and agricultural surpluses, supported these theses – albeit with its usual reservations, particularly with regard to the legal basis as outlined in the previous section – and welcomed a Commission proposal along these lines, calling for food aid policy to be integrated into the development policy.

⁴⁷¹ EP resolution of 24 October 1986 closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Council Regulation on food aid policy and food aid management, OJ C 297, 24.11.86, p. 155 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A2-140/86. Rap: Campinos.

⁴⁷² It should be remembered that in the 1980s there was strong opposition to management committees in the debate on the European institutions: the term 'comitology' was used.

⁴⁷³ EP – Committee on Development and Cooperation - Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-1235/83 - COM(83) 695 final) for a Regulation (EEC) on the implementation in relation to food of alternative operations in place of food aid. Doc. 1-116/84. Rap: K. Focke. The quotation is from the conclusions.

⁴⁷⁴ EP resolution of 13 April 1984 closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the implementation in relation to food of alternative operations in place of food aid, OJ C 127, 14.5.84, p. 249.

Another major issue was desertification, which had been the subject of a communication from the Commission to the Council. This was a serious problem affecting seven and a half million square kilometres in Africa, an area three times the combined size of the 12 Member States that was growing annually at a rate of 60 000 square kilometres, or twice the area of Belgium. Considerable financial resources were required to deal with this problem, estimated at ECU 26 billion over five years in addition to the EU 8.5 billion allocated by the Lomé Convention for the same period.

Parliament delivered its opinion on this issue in a resolution⁴⁷⁵ based on the Commission's communication and the conclusions reached by the European Council in Milan in June 1986. It took as its starting point the belief that *the desert is not growing but rather being created* or, as the communication put it, desertification was a product of human action. The resolution identified environmental protection as the chief instrument in the struggle against desertification and drought since environmental protection was by now a cornerstone of the Lomé Convention, as the developing countries were very much aware. In this scenario, Parliament agreed with the demands made by the Commission for actions spreading environmentally sound farming practices and population control measures in line with available resources. Other demands were added to these and they were also supported by the ACP-EEC Consultative Assembly: preserving the genetic variety of crops, halting deforestation and protecting tropical forests through the creation of 'buffer zones'. More specifically, there was a call for inclusion in the agreements with the Maghreb and Mashreq countries of specific integrated actions for the other countries in the region, together with a call to the Community and to the Member States to identify precise objectives for the funding of the fight against desertification.

The European Parliament adopted a second resolution on the fight against hunger⁴⁷⁶, the main point of which was probably paragraph 3:

...considers that the scourge of hunger and malnutrition can only be eliminated if the governments of the affected countries pay proper attention to the changes they need to bring about in their own policies in order to improve agricultural productivity and if the industrialised countries allow change to their policies that have a direct effect on the economies of the developing countries; calls on the European Community and its Member States to take all necessary steps to ensure:

- a) compliance with the minimum 0.7% GDP standard established for public aid to development and 0.15% of GDP for the least developed countries;*
- b) maintenance of an adequate level of funding for the main international multilateral organisations operating in the area of agriculture and rural development, especially the International Development Agency and the International Fund for Agricultural Development;*

⁴⁷⁵ EP resolution of 19 February 1987 on desertification, OJ C 76, 23.3.87, p. 120 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A2-192/86. Rap: Chinau. The data provided in the text is taken from the report that in turn draws on the Commission communication.

⁴⁷⁶ EP resolution of 19 February 1987 on the fight against hunger following on from the report of the Committee on Development and Cooperation with the same title. Doc. A2-193/86. Rap: Medeiros Ferreira. See also the EP own-initiative resolution of 14 March 1985 on the campaign against hunger in Africa, OJ C 94, 15.4.1985, p. 81.

- c) application of solutions aimed at combating indebtedness, particularly in the poorest countries;
- d) effective application of the Common Fund for Committees to stabilise markets within the framework of the Integrated Programme for Commodities;
- e) promotion of far-reaching discussion at GATT meetings and other international meetings on the problem of international agricultural exchanges, with the aim of establishing a programme of reforms benefiting consumers and producers in both the developing and industrialised countries.

Another important point (and part of the central argument of the motion for a resolution resulting in the report by Medeiros Ferreira) related to the transport of foodstuffs, an absolutely essential phase in the food aid process: the resolution recommended an intensification of aid, including transport, a better selection of transport tariffs, support for the authorities and, finally, additional monitoring of transporters' compliance with contractual undertakings.

Some years later Parliament adopted a resolution on food aid⁴⁷⁷ taking a new approach that was summed up in the relevant report: *How hunger can be eliminated in the world and the Community's role in cooperation with other donor countries and with the countries concerned*. The fundamental point is that food aid discourages the beneficiary states from pursuing development that might eliminate the causes of hunger.

The solutions proposed in the resolution, apart from revising the 1986 Regulation in line with the new thinking outlined above, included doing away with the obligation to buy foodstuffs on the Community market, ensuring more triangular operations and expanding the role of NGOs. Moreover, on a procedural level, it called for a reduction in the budget lines for food aid, and simplification and decentralisation of the procedures.

6. The concept of food security

As of 1994 the European Community and the Member States were the main donors of food aid in the world, although this had not brought about a substantial improvement in the levels of food self-sufficiency in the developing countries, due to significant changes on the international markets that worked against their interests, not least the Uruguay Round agreements involving reductions in food aid itself. The report⁴⁷⁸ accompanying the motion for a resolution on a Commission initiative to revise the relevant legislation separated food aid for the purposes of food security from food aid of a humanitarian or emergency nature, which was to be subject to different rules⁴⁷⁹.

The scenario outlined in the report was far from encouraging: Community food aid had been reduced in real terms while the area for potential application of aid had expanded

⁴⁷⁷ EP resolution of 14 May 1992 on ways to achieve food security, OJ C 150 of 15.6.92, p.276 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-25/92. Rap: Wynn.

⁴⁷⁸ EP – Committee on Development and Cooperation - Report on food aid policy and food aid management and special operations in support of food security. Doc. A4-285/95. Rap: Telkämper.

⁴⁷⁹ This issue is dealt with in the next chapter.

to include the former Soviet Central Asia. All forecasts pointed to a further deterioration in the situation of the developing countries for a variety of reasons: limited technological innovation and water resources, falling crop yields, a reduction in the area of farmland and population growth.

Despite the improvements achieved, not least of which was the gradual substitution of replacement of European-type foodstuffs with local and traditional foods, there was still a basic problem affecting European food aid even at an operational level: the disposal of European surpluses. This was regulated by an unwritten rule criticised in the report, a 'secret' quota of 10% of aid of non-European origin, just previously raised to 40% as a result of agreements between the relevant Directorates-General of the Commission.

The new Regulation completely separated the budget for food aid from the agricultural budget and encouraged purchasing outside the Community market, albeit adopting a somewhat less radical formula than that suggested by the rapporteur.

Parliament approved the proposal with amendments⁴⁸⁰ and later reiterated its position at second reading⁴⁸¹.

⁴⁸⁰ EP Decision of 21 May 1996 on the common position established by the Council with a view to adopting a Council Regulation on food aid policy and food aid management and special operations in support of food security, OJ C 166, 10.6.96, p. 24 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-126/96. Rap: Telkämper.

⁴⁸¹ EP legislative resolution of 15 December 1995 embodying Parliament's opinion on the proposal for a Council Regulation on food aid policy and food aid management and special operations in support of food security, OJ C 17, 22.1.96, p. 431.

CHAPTER XVII

HUMANITARIAN AID

1. Humanitarian intervention in exceptional cases

The Community had intervened in emergency situations from the outset, but initially it did so on a case-by-case basis, leaving the establishment of a real intervention system until later.

The Sahel drought was the first case of direct Community action, carried out in an area of the African continent stretching from the Sahara in the north to the tropical regions of the south, and from the Atlantic to the Red Sea. The countries in this area were almost all Associated States: Upper Volta, Chad, Mali, Mauritania, Niger, Nigeria, Senegal and Sudan. From a climatic point of view, it was a region of low rainfall concentrated mainly in the monsoon season, which meant that these countries had almost permanent problems with water supply and suffered from progressive desertification.

In 1973 the situation became particularly serious and on 7 May 1973 the European Parliament called on the Council and the Commission to intervene urgently to overcome the problems preventing aid already sent from getting through the access ports⁴⁸². Some days later, following a proposal from the Committee on Development and Cooperation, Parliament reiterated its call to the other Community institutions, suggesting that foodstuffs stored in the ports be transported by air to the interior of the Sahel area and that the Community's delegated monitors on the ground be given the powers of initiative needed to deal with the disaster⁴⁸³.

Six months later, despite aid being sent in the interim, for which the Associated States thanked the Community⁴⁸⁴, the situation remained serious and threatened to get even worse in 1974. In addition to the humanitarian problem, there was the question of lost production, especially cereals, and the deterioration of already poor economies. In order to address the situation with aid not limited to the humanitarian area, the European Parliament decided on a series of interconnected actions to be implemented over a number of phases. What was required immediately was a new plan for food aid consisting of cereals, milk and butteroil, which needed to be delivered prior to the start of the rainy season, while the solution to the logistical and transport problems, critical for the successful outcome of the relief operation, also needed to be integrated into the programme.

Measures to improve infrastructures, including small-scale actions, were required in the longer term for the road network, together with hydraulic work, especially on the River Niger and River Volta. This action was to be accompanied by a medical initiative, in tandem with research on ways of eradicating certain diseases, such as the onchocerciasis

⁴⁸² EP resolution of 7 May 1973 on the consequences of drought in Africa, OJ C 37, 4.6.73, p. 6.

⁴⁸³ EP resolution of 11 May 1973 on emergency aid by the Community to relieve drought in Africa, OJ C 37, 4.6.73, p. 67, following on from the report of the Committee on Development and Cooperation with the same title. Doc. 58/73. Rap: Spénale.

⁴⁸⁴ EP – Committee on Development and Cooperation - Report on aid to the Sahel countries affected by drought. Doc. 271/73. Rap: Spénale. The expressions of thanks mentioned in paragraph 1 of the report were presented during the Joint Committee of the Yaoundé Convention held in Bruges from 26 to 28 June 1973. The drought issue was top of the agenda at this meeting of the Joint Committee and its subsequent meeting in Lomé from 27 to 31 October of the same year.

endemic in the Sahel area. Research was necessary not just in the medical field, but also on agricultural economics, making use of satellite searches for underground water resources. The European Parliament called, too, for additional financial resources for the Sahel area in the 1974 budget and the creation of a special relief fund for natural disasters⁴⁸⁵.

In some cases, the problem of hunger was further complicated by political factors such as corrupt or dictatorial regimes. A case in point was the Central African Republic, which was suffering under the Bokassa dictatorship, where large-scale massacres led in 1979 to the regime being overthrown. A subsequent resolution⁴⁸⁶ noted the manner in which the Commission had managed to send relief to the inhabitants of the Central African Republic without offering support to the regime and applied this example to the general problem of aid to countries suffering grave violations of human rights. The issue was also examined in the relevant report outlining the Community's position. This report echoed, although with a somewhat different emphasis, the Council Decision of 21 June 1977 requiring the Community to take all necessary measures to ensure that aid destined for affected populations was not in fact used for other purposes. However, it was difficult to apply this principle when the beneficiary country was a signatory to the Lomé Convention, which defended the right to establish an indicative aid programme independently. In order to circumvent this problem, the resolution called on the Community to introduce a range of preventive measures, including better monitoring of its own aid programmes in countries that violated human rights.

In yet other cases, humanitarian problems were caused by wars, as in the refugee crisis in the Horn of Africa involving some two million people, which was the subject a resolution calling for additional Community food aid⁴⁸⁷. The Palestinian refugee crisis was another such case: the Community acted as donor in the programme implemented by UNRWA, a UN agency specifically charged with overseeing aid to this group of refugees. The Convention first signed with this agency in 1972 provided for the sending of food aid, to be distributed on the ground by the agency⁴⁸⁸. The Convention was subsequently renewed on a number of occasions.

The European Parliament also called for further intervention in situations involving food crises and displacements of refugees, often connected to deteriorating political or armed conflicts. These cases included a resolution on Afghanistan⁴⁸⁹ that simply called for the

⁴⁸⁵ EP resolution of 11 December 1973 on aid to the Sahel countries affected by drought, OJ C 2, 9.1.74, p.30.

⁴⁸⁶ EP resolution of 19 June 1980 on the situation in the Central African State, OJ C 175, 14.7.80 following on from the report of the Committee on Development and Cooperation with the same title. Doc. 1-149/80. Rap: J. Jaquet.

⁴⁸⁷ EP resolution of 11 July 1980 on the dramatic situation of the refugees, especially the children amongst them, in the Horn of Africa, OJ C 197, 4.8.80, p. 81 following on from the report of the Committee on Development and Cooperation with the same title. Doc. 1-289/80. Rap: Marshall. Subsequent resolutions of a more general nature: 16 December 1983 on Assistance to refugees in developing countries, OJ C 10, 16.1.84, p. 278, and 19 February 1987 on Aid to refugees and displaced person in developing countries, OJ C 76, 23.3.87 following on from the respective reports with the same titles. Docs. 1-929/83, Rap: Dury, and A2-122/86, Rap: Verbeek. The first dealt with the issue in general, calling essentially for Community action to render the refugees self-sufficient, in other words to reduce their dependence on international aid; the second dealt specifically with a number of crisis situations and food for refugees.

⁴⁸⁸ EP resolution of 15 February 1980 embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for: I. a Decision concluding the convention between the European Economic Community and Works Agency for Palestine Refugees (UNRWA) on aid to refugees in the countries of the Near East; II. a Regulation on the supply of sugar to UNRWA as food aid, OJ C 59, 10.3.80 p. 70 following on from the report with the same title. Doc. 1-754/79. Rap: D. Enright, from which the information in the text is drawn.

⁴⁸⁹ EP resolution of 18 January 1980 on the situation in Afghanistan, OJ C 34, 11.2.80, p. 110 following on from the report with the same title. Doc. 1-638/79. Rap: F. Warner.

intervention of the Commission, later followed by others on the same conflict. There was a more far-reaching resolution on the situation in Cambodia⁴⁹⁰ that welcomed the first food aid sent by the Commission and called for more general assistance to the Thai Government, which was in grave need, in addition to aid for the Cambodian, Vietnamese and Laotian populations who had remained in their countries. The following year, the European Parliament welcomed the fact that aid to Cambodia had continued throughout 1981 and urged further relief efforts in 1982⁴⁹¹.

Parliament approved another resolution⁴⁹² on Vietnam a number of years later, which called for emergency aid to be distributed among the affected population by NGOs, since the Community itself could not resume its own suspended aid programmes until such time as the Vietnamese Government provided proof of serious intentions to withdraw its troops from neighbouring countries and to respect human rights. The report incorporating the motion for a resolution⁴⁹³, already referred back to committee, offered a detailed examination of the humanitarian situation in Vietnam. Despite a health system that was relatively evolved in comparison to the general state of the country, Vietnam suffered from serious problems of malnutrition, especially among children. Another serious problem was the plight of the so-called boat people, the refugees fleeing Vietnam for other countries.

Years later the problem of repatriations would emerge and the European Parliament⁴⁹⁴ welcomed the participation of the Community in the dedicated programme of the UN High Commission for Refugees. It also ensured that Vietnam, one of the poorest Asian countries, was included in the debate, demanding that it be allocated a fair share of the aid destined for Latin America and Asia.

2. Organisation of humanitarian aid

In the 1990s the European Community tackled the problem of providing an overall framework for its humanitarian aid and distinguishing it from its development policy and food aid. This required, first and foremost, a definition of the concept:

*Humanitarian aid is the provision of relief and protection to those affected by natural or technological disasters or crises brought about by civil or international armed conflicts, offered by multilateral NGOs or State organisations, in cases where the local authorities are not in a position to provide satisfactory guarantees for the survival of those affected*⁴⁹⁵.

⁴⁹⁰ EP resolution of 15 April 1980 on food aid to Cambodia and the South-east Asian refugees, OJ C 117, 12.5.80, p. 17 following on from the report with the same title. Doc. 1-734/79. Rap: K. Wawrzik.

⁴⁹¹ EP resolution of 20 November 1981 on the results of a visit by a delegation from the European Parliament to Cambodia, OJ C 327, 14.12.81, p. 110 following on from the report with the same title. Doc. 1-639/81. Rap: R. Cohen.

⁴⁹² EP resolution of 17 February 1984 on granting of emergency aid to Vietnam, OJ C 77, 19.3.84, p. 129.

⁴⁹³ EP – Committee on Development and Cooperation - Report on the granting of humanitarian aid to Vietnam. Doc. 1-1344/83. Rap: Couste.

⁴⁹⁴ EP resolution of 19 November 1992 on the participation of the European Community in the international programme for the reintegration of Vietnamese returnees, OJ C 329, 6.12.93, p. 79 following on from the report with the same title. A3-265/93. Rap: Sandbaek.

⁴⁹⁵ EP – Committee on Development and Cooperation - Report on humanitarian aid. Doc. A4-283/95. Rap: Sauquillo Perez del Arco.

Until the 1980s humanitarian aid had been used mainly for natural or industrial disasters, since the balance of power between the Eastern and Western blocs had limited even local conflicts. The end of this situation brought with it an increase in conflicts with serious consequences for populations in regions that were for the most part poor and in states that generally did not have the means to intervene without international aid, which in many cases completely replaced the administration of the state in question. A consequence of this situation in terms of international law was the establishment of a right of interference on the part of the international community in the internal affairs of a given state for the purposes of bringing humanitarian aid to those in need, in the name of a principle of solidarity that prevailed over national sovereignty.

In this context, the European Community increased its commitment and in 1992 set up a specific Commission service, ECHO, that improved the speed and efficiency with which food aid was delivered and raised awareness of Community action in this sector. However, it was not until 1995 that the Commission, with the aim of providing a legal basis for its own service, presented a proposal for a regulation to the Council and to Parliament for its opinion.

The European Parliament approved the proposal with amendments⁴⁹⁶, recommending that when the EC Treaty was being revised, specific rules on humanitarian aid should be incorporated: the legal basis used for the regulation, Article 130w on development policy, did not seem adequate, while the adoption of rules on foreign policy and common defence as a legal basis would actually be counterproductive for the non-discriminatory manner in which ECHO operated.

The amendments tabled sought to establish a permanent framework of information and consultation with other organisations cooperating with the Commission service, which, consequently, would not just be a donor and distributor of aid but should actually be capable of drawing up a coherent and effective policy for humanitarian relief efforts. Other amendments sought to establish a link with the development policy. A particularly significant amendment by Parliament was the integration of humanitarian policy with short-term rehabilitation and reconstruction work in order to facilitate the delivery of relief, preventing the impact of the crisis from deteriorating and quickly helping those affected to regain a minimum level of self-sufficiency. This approach led to the first article of the approved Regulation⁴⁹⁷, which read as follows:

The Community's humanitarian aid shall comprise assistance, relief and protection operations on a non-discriminatory basis to help people in third countries, particularly the most vulnerable among them, and as a priority those in developing countries, victims of natural disasters, man-made crises, such as wars and outbreaks of fighting, or exceptional situations or circumstances comparable to natural or man-made disasters. It shall do so for the time needed to meet the humanitarian requirements resulting from these different situations.

⁴⁹⁶ EP legislative resolution of 30 November 1995 embodying Parliament's opinion on the proposal for a Council Regulation concerning humanitarian aid, OJ C 339, 18.12.95, p. 54 following on from the report of the Committee of Development and Cooperation referred to in the previous note.

⁴⁹⁷ Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid, OJ L 163, 2.7.96, p. 1.

Such aid shall also comprise operations to prepare for risks or prevent disasters or comparable exceptional circumstances.

3. The refugee issue

This other area of humanitarian intervention had generally received less attention than food aid, probably because of the wide variety of situations generated by the respective political scenarios.

However, after a series of case-specific resolutions adopted over the years, the European Parliament devoted a resolution⁴⁹⁸ to the general, and by then endemic, problem, drawing new attention to the issue in 1991, a year marked by no less than four crisis situations involving mass exoduses of refugees from developing countries⁴⁹⁹. The aim of the resolution was clearly explained in the relevant report:

...the aim is to bring about a Copernican revolution in the way of looking at and studying the refugee problem by dealing with it directly rather than treating it as a 'side issue'. Indeed, the size of the problem in terms of population numbers has by now outgrown the traditional institutional framework used to deal with it and placed in doubt established ways of thinking... it is more than ever incumbent on governments to emphasise the increasingly complex causes of the problem and to highlight the problem as a whole. This responsibility does not exonerate them from the duty of providing conventional humanitarian aid, which is in need of constant improvement, and must be seen today as part a new approach to the whole concept of security...

The starting point for such reflection was the definition of refugee established by the Geneva Convention on the Status of Refugees and Stateless Persons of 28 July 1951:

... any person who as a result of events occurring before 1 January 1951 – and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable, or owing to such fear, is unwilling to return to it.

The Convention allowed signatory states to limit its application to refugees from European countries, for whom the Convention had in fact been conceived. The later Protocol of 31 January 1967 abolished both this limitation and the temporal restriction to 'before 1 January 1951'. On the other hand, the definition provided in the Convention

⁴⁹⁸ EP resolution of 13 December 1991 on aid to refugees and displaced persons in developing countries, OJ C 13, 20.1.92, p. 468 following on from the report of the Committee on Development and Cooperation with the same title. Doc. 345/91. Rap: Aulas.

⁴⁹⁹ The report mentioned the masses of migrant workers fleeing to Jordan from Kuwait, as a result of the Iraqi invasion of Kuwait and the consequent Gulf War, Iraqi Shiites and Kurds fleeing from the same conflict, Bangladeshis leaving their country due to a devastating cyclone and, finally, the refugees in the Horn of Africa fleeing worsening civil war, famine and dictatorship in the region.

was not fully accepted by some of the signatory states and recognition of refugee status thus depended to a large degree on the national legal systems of the host countries, which in general applied more restrictive definitions than the Geneva Convention. More particularly, the distinction between political and economic refugees was increasingly used as numbers grew.

Alongside refugees from other states who fell within the scope of the Geneva Convention were 'displaced persons', or those who moved within one and the same country in order to flee local conflicts, famine and disaster. The two concepts were unified by the OAU, the Organisation of African Unity, which was part of the UN system.

In 1991 the total number of refugees was estimated to be 17 500 000, including 7 350 000 in Asia (excluding the Middle East⁵⁰⁰), 5 865 000 in Africa and 1 100 000 in Central America.

The resolution took a positive view of the Community's policy in this area, especially the creation of a European Commission Humanitarian Aid Office (ECHO), but it was concerned about the logistical costs, which were significantly larger than the cost of the aid itself. It called on the Commission to set up a task force to monitor crisis zones where refugee flows might materialise and to study and coordinate preventive diplomatic solutions. More generally, it stated:

... considers that the international community should adopt all the measures necessary to enable all refugees (political, economic and those who are refugees as a result of natural or ecological disasters) to be taken in first and foremost by neighbouring regions and countries, which must be assisted to this end by suitable programmes of cooperation and support; stresses, at the same time, that the European Community, on the basis of positions adopted by the European Parliament on the matter, must draw up a Community asylum policy giving priority to political refugees and adopt a definition of refugees that takes into account the diversity of causes and international upheavals underlying the phenomenon.

The next resolution focused on the plight of refugees in Africa⁵⁰¹, thus in a particular continent, but it took on general significance due to the report's study of the operations of ECHO, which, the resolution recognised, had a special role in coordinating and implementing the EU's overall policy on refugees. More generally, the resolution considered that the long-term Community objective should be voluntary repatriation or integration in the host country.

⁵⁰⁰ Although the relevant report, from which the information given here is drawn, considered the Palestinian refugees to be the main displaced population in the Middle East and their plight the longest-running refugee situation in the world, it provided no data on refugee numbers nor on the extent of the problem in the Middle East in general.

⁵⁰¹ EP resolution of 11 March 1994 on refugees in Africa, OJ C 91, 28.3.94, p. 343 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A3-49/94. Rap: Pons Grau.

4. The refugee issue in Asia and Latin America

Some years later a proposal for a regulation was presented to Parliament on refugees in these parts of the world, with the express purpose of providing a legal basis for actions there, but adopting a new approach that was welcomed by the Committee on Development and Cooperation. Although the relevant report⁵⁰² concentrated on the situation of refugees in two specific areas where abuse and violations of international standards were observed, it dealt with the matter from a more general perspective. It also tackled the problem of defining refugees according to a broad interpretation of the 1951 Convention and 1967 Protocol as opposed to the more restrictive definition adopted by many states. Finally, it called for refugee rights to be extended to displaced persons, who were also included in the Commission's proposal.

This definition was indeed broader than that contained in the proposal for a regulation, which was in turn less restrictive than the definition adopted by many states. It referred back to a European Parliament resolution on the right to asylum⁵⁰³ and supported the rights of so-called '*de facto refugees*', in other words those fleeing areas where there was widespread violence or other human rights violations, even if such acts were not specifically aimed at the refugees in question⁵⁰⁴. The report called for measures to defend the rights of refugees and, in particular, vulnerable and often abused groups such as women and children; it also proposed measures to combat forced repatriation.

In addition, the Committee on Development and Cooperation drew attention to the environmental damage caused by refugee camps and suggested a number of solutions, such as employing the refugees themselves to maintain the surrounding areas on an aid-for-work basis.

The European Parliament supported the positions of its committee at first⁵⁰⁵ and second readings⁵⁰⁶, after which Parliament withdrew its amendments on *de facto* refugees in a bargaining move designed to ensure acceptance of the amendments on human rights and forced repatriation.

5. Assessing humanitarian aid

A Commission communication on the links between aid, reconstruction and development gave the Committee on Development and Cooperation the opportunity to take stock

⁵⁰² EP – Committee on Development and Cooperation - Report on operations to aid uprooted people (refugees, displaced persons and returnees) in Asian and Latin American developing countries. Doc. A4-13/96. Rap: Howitt.

⁵⁰³ EP resolution of 12 March 1987 on the right of asylum, OJ C 99, 13.4.87, p. 167 following on from the report of the Committee on Legal Affairs. Doc. A2-227/86. Rap: Vetter. The author has yet to find in the text of this resolution a specific paragraph supporting what was stated in the 1996 report.

⁵⁰⁴ The report also listed the various types of refugee dealt with in the debate on the issue, from economic to environmental, but was not of the opinion that they could be included in the Regulation.

⁵⁰⁵ EP legislative resolution of 16 February 1996 embodying Parliament's opinion on the proposal for a Council Regulation on operations to aid uprooted people (refugees, displaced persons and returnees) in Asian and Latin American developing countries, OJ C 65, 4.3.96, p. 222.

⁵⁰⁶ EP resolution of 12 November 1996 on the common position adopted by the Council with a view to the adoption of a Council Regulation on operations to aid uprooted people in Asian and Latin American developing countries, OJ C 362, 2.12.96, p. 29 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-344/96. Rap: Howitt.

and provide an overall evaluation of the EU humanitarian aid policies adopted by the European Parliament⁵⁰⁷.

The resolution returned to some positions already expressed on a number of occasions in the past, such as giving priority to the plight of women and children, although there were some important new elements, including the use of military resources for humanitarian purposes.

With regard to management of the aid policy, the resolution called for better coordination of Community and Member State action and of Community aid and development and rehabilitation policy, ensuring a clear definition of responsibilities. This crucial issue of coordination between Commission departments needed to be dealt with in the short term, while in the long term the Commission should reorganise its management structure.

In particular, on the issue of rehabilitation, the Commission was asked to ensure that all actions supported the functioning of local markets. It was also pointed out that crises of a chronic nature were more and more frequent and that this impeded the transition from aid to development cooperation and required the management of unstable situations.

There was also a call to strengthen, in terms of human and financial resources, the external delegations in the developing countries, with the possible creation of a civil and military corps responsible for maintaining and restoring peace in cooperation with the WEU, which still existed at that time. Increased funding for ECHO was recommended, alongside a reduction in the high rate of staff turnover, which meant that staff could not build up sufficient experience of a particular country or crisis.

The political aspect was examined from the point of view of conflict prevention, which required greater involvement of civil society. To this end, the EU should promote democracy and fuller integration of local populations. Within the framework of security policy, the EU needed to combine its diplomatic efforts and humanitarian intervention, including military actions, and make every effort to foresee and prevent conflicts.

⁵⁰⁷ EP resolution of 20 February 1997 on European Union humanitarian aid and the role of ECHO and on the Commission communication to the Council and European Parliament on linking relief, rehabilitation and development, OJ C 85, 17.3.97, p. 181 following on from the report of the Committee on Development and Cooperation with the same title. Doc. A4-21/97. Rap: Fassa.

APPENDIX

EUROPEAN COMMUNITY/EUROPEAN UNION RELATIONS WITH SOUTH AFRICA 1977-1994

**by Emanuele Angioni
(Stagiaire in the European Parliament)**

EUROPEAN COMMUNITY/EUROPEAN UNION RELATIONS WITH SOUTH AFRICA 1977-1994

by Emanuele Angioni

1. The EC/EU and apartheid

South African society during apartheid was characterised by the presence of a regime of systematic domination and oppression by one racial group over another. This system was enforced for decades by white elitist National Party (NP) governments, beginning in 1948. Black South Africans suffered greatly from the discriminatory policies pushed forward by these governments. In fact, they did not have easy access to basic healthcare⁵⁰⁸, education, welfare and recreational networks simply because they could not afford such services. Furthermore, a long list of discriminatory laws and policies limited work salaries⁵⁰⁹, discouraged mixed marriages and other forms of race mixing⁵¹⁰ and most importantly, limited the participation of blacks in national politics while it also banned opposition⁵¹¹. Moreover, the majority of Blacks were stripped of their South African citizenship⁵¹² and became citizens of one of the ten 'homelands' or Bantustans (ethnically based self-governments).⁵¹³ Finally, what characterised South Africa was the dictatorial rule of a white minority over the black majority: by 1985 there were 24.57 million blacks (74 % of the whole population) and 4.83 million whites (14.6 % of the whole population).⁵¹⁴

The harsh reality of apartheid raised concerns among various international organisations and observers such as the European Community (EC). In fact, the EC expressed itself on several occasions against the racial discrimination, terror and repression.⁵¹⁵ However, no concrete actions were taken by the European Community prior to 1977, when a *Code of Conduct*⁵¹⁶ for European enterprises operating in SA was adopted. This *Code* mainly provided guidelines for European businesses that were to operate in apartheid environments. It stressed the importance of non-discrimination, equal pay, access to health and education and finally the cooperation with Black trade unions. However, there was no EC institution which held the responsibility of supervising or coordinating the *Code of Conduct* and no direct actions were taken for non-compliance as the code was voluntary. The nature of the

⁵⁰⁸ Horwitz, S. 2009, *Health and Health Care under Apartheid* Johannesburg: Adler Museum of Medicine.

⁵⁰⁹ Crankshaw, O., 1997, *Race, Class, and the Changing Division of Labour under Apartheid* New York: Routledge.

⁵¹⁰ Selod, H. and Zenou, Y. [2001] 'Location and Education in South African Cities under and after Apartheid', *Journal of Urban Economics*, 168-198.

⁵¹¹ Marais, H., 1999. *South Africa: Limits to Change, the Political Economy of Transition*, Zed Books LTD.

⁵¹² Worden, N., 2000, *The Making of Modern South Africa: conquest, segregation, and apartheid* Oxford: Blackwell Publishing Ltd. Egerö, B., 1991. *South Africa's Bantustans, From Dumping Grounds to Battlefronts* Motala: Motala Grafiska.

⁵¹³ The Bantu Homelands Citizen Act of 1970. By dividing the Country in ten homelands (Bantustans), the white elite managed to create racially homogeneous territories that were easier to control and to administer. Four of these territories gained independence from SA while the rest remained under its rule. The ten homelands were: Trankei (Xhosa), Bophuthatswana (Tswana), Ciskei (also Xhosa), Gazankulu (Tsonga), KaNgwane (Swazi), Kwandebele (Ndebele), KwaZulu (Zulu), Lebowa (Pedi) and finally QwaQwa (Southern Sotho). The first four homelands all gained independence before 1981.

⁵¹⁴ Lewis, R. S., 1990. *The Economics of Apartheid*, New York: Council on Foreign Relations Press.

⁵¹⁵ Declaration made by Sir Christopher Soames to the European Parliament on 14 March 1973. - Written question by Mrs Goutmann to the European Community Commission, 'Apartheid and Arms Sale to South Africa', 4 July 1975.

⁵¹⁶ Draft Report issued by the Committee on Development and Cooperation on the 'context, form, status and application of the code of conduct for community companies with subsidiaries, branches or representation in South Africa', rapporteur P. Lagorce.

Holland, M. [1989], 'Disinvestment, Sanctions and the European Community's Code of Conduct in South Africa' 88 529-547.

Code and its non-rigorous application was object of various critiques by members of the European Parliament.⁵¹⁷

The intensification of racial unrests⁵¹⁸ and the worsening of the situation in the early 1980s raised further fears and questions among the members of the European Council⁵¹⁹. These concerns are discussed in a series of European Councils and meetings held in the 1980s.⁵²⁰ Moreover, in the early 1980s there were demands for resolutions regarding the following issues: oil and oil-derivates embargo⁵²¹, on cooperation with the front-line countries, liberation of all political detainees⁵²² and the amelioration of women's conditions.⁵²³ Nonetheless, while indignation characterised all members of the European Community, the *Code of Conduct* was the only instrument that the EC used to promote change in SA until 1985.⁵²⁴

2. EC/EU sanctions

In the years after 1984, the European Council adopted harsher measures and revised the *Code of Conduct* as illustrated in table 2. The package of restrictive (sanctions) and positive (programmes) measures was agreed in September 1985. The sanctions were aimed at persuading the South African government to abandon apartheid and to organise free and fair elections. On the other hand, the programmes were aimed at aiding the NGOs and humanitarian organisations operating in SA. The financing of these initiatives allowed the South African population to receive international aids in the shape of food, clothing and other provisions. In fact, between 1985 and 1991 the EC Special Programme sponsored 402 projects.⁵²⁵ During the first phase of the Programme most of the funds went to education and training activities, humanitarian and social programmes and finally legal aid. The second phase of the Special Programme began around the early 1990s and was aimed at assisting the South African population in the period of transition to democracy and in the years that followed this process.

⁵¹⁷ Written Question by M. O'Connell to the Foreign Ministers of the Nine Member States of the Community Meeting In Political Cooperation, 13 September 1979.

⁵¹⁸ Louw, P. E., 2004, *The Rise, Fall, and Legacy of Apartheid*, Westport: Praeger Publishers.

⁵¹⁹ Working Documents 1979-1980, motion for a resolution, tabled by Mrs Bonino, Mrs Castellina and Mr Coppieters, 12 November 1979. - Working Documents 1979-1980, motion for a resolution, tabled by Mrs Cassanmagnaco Cerretti, Mrs Maij-Weggen, Mrs Gaiotti de Biase, Mr Bersani, Mr Beumer, Mr Estgen, Mr Herman, Mr Ligios, Mr Michel, Mr Narducci, Mr Penders, Mr Seitlinger and Mr Verger, 15 November 1979.

⁵²⁰ European Council of 26/27 June 1986 held in The Hague. European Council of 27/28 June 1988 held in Hannover. European Council of 26/27 June 1989 held in Madrid.

⁵²¹ Working Documents 1980-1981, motion for a resolution, tabled by Mr Glinne, Mrs Van de Heuvel, Mr Kavanagh, Mr Colla, Mr Cariglia, Mr Linde, Mr Pelikan, Mr Estier, Mrs Gredal Mr Van Minnen, 14 April 1980.

⁵²² Working Documents 1981-1982, motion for a resolution, tabled by Mr Van Miert and Mr Glinne, 8 March 1982.

Working Documents 1983-1984, motion for a resolution, tabled by Mr Van Miert and Mr Glinne, 12 September 1983.

⁵²³ Working Documents 1980-1981, motion for a resolution, tabled by Mr Ansart, Mrs Poirier, Mr Denis, Mr Piquet and Mr Vergès, 22 May 1980. Working Documents 1980-1981, motion for a resolution, tabled by Mrs Roudy, Mrs Lizin, Mrs Fuillet and Mrs Vayssade, 19 September 1980. - Working Documents 1981-1982, motion for a resolution, tabled by Mr Denis, Mr Ferrero, Mr Vergers, Mr Ephremedis, Mr Kyrkos and Mr Boserup, 10 May 1982.

⁵²⁴ Press Statement by the Ten Foreign Ministers on South Africa, Luxembourg, 10 September 1985. - Communiqué of the Meeting of the Foreign Ministers of the Frontline States and of the Member States of the European Community, Lusaka, 3-4 February 1986.

⁵²⁵ Niblett, R. and Mix, D., 2006. *Transatlantic Approaches to Sanctions: Principles and Recommendations for Action*. CSIS Europe Program, 10 October 2006.

The restrictive measures adopted by the European Council varied from sanctions on: oil exports, sale of military goods, military and nuclear cooperation and economic restrictions. Nevertheless, these sanctions did not affect SA to the expected extent. In fact, the embargo imposed by the EC/EU only affected a small percentage of the South African imports (they did not target the main South African exports: coal and diamonds). This meant that the products on which the embargo was set did not constitute a significant part of the country's import goods and that regardless of the embargo SA was able to purchase these products from non-communitarian states. Moreover, the sanctions on nuclear cooperation only slowed down the process of uranium enrichment and did not prevent SA from developing its own enrichment facilities.⁵²⁶

As is visible in table 1, the *Code of Conduct* did not have a significant direct effect on South African economy. The imports of arms and oil only started decreasing in the mid 1980s, after the first embargos were adopted. As a result of these restrictive measures, the percentage of oil and arms imports drastically diminished by 1985 (from 29.9 % in 1980 to 17.9 % in 1985). At the same time, the imports of other products such as machinery equipment, chemicals, food and tobacco remained stable or increased slightly. This table clearly indicates that the sanctions were mainly aimed at reducing the armament and oil stocks of SA. As a consequence of these measures, the oil embargos began affecting the economy of SA which found itself in the middle of an oil crisis in the mid 1980s.

Table 1- Percentage % Distribution of Imports, 1970-1985⁵²⁷

YEAR	Oil and Arms	Machinery and Equipment	Chemicals	Raw materials	Food, beverages, tobacco	other manufacture
1970	9.1	46.7	7.8	4.7	5.0	18.9
1975	18.6	43.7	7.6	5.9	3.7	12.2
1980	29.9	38.1	8.5	4.4	2.5	11.8
1985	17.9	40.5	12.1	4.6	4.8	15.0

Source: Lewis, R. S., 1990. *The Economics of Apartheid*, New York: Council on Foreign Relations Press.

The following table highlights the various sanctions and measures which were adopted by the EC/EU against apartheid. This table also clearly indicates that there is a long period of time between 1977 and 1985 during which no further initiatives are adopted. Between 1977 and 1985 various motions for resolutions were tabled urging direct action unsuccessfully.⁵²⁸ Nevertheless, in the period 1984 and 1985 a long series of measures are adopted; these initiatives aimed at dismantling the apartheid system and the creation of a democratic state. These sanctions and programmes slowly 'suffocated' the political elite in SA and induced the regime to changes some of its policies. The 1977 *Code of Conduct* was revised and various embargos were imposed in 1985, as visible in table 2.

⁵²⁶ Crawford, N: and Klotz, A., 1999, *How Sanctions Work: Lessons from South Africa*, London: Macmillan Press LTD.

⁵²⁷ Lewis, R. S., 1990. *The Economics of Apartheid*, New York: Council on Foreign Relations Press.

⁵²⁸ Oral question by Mrs Ewing to the Foreign Ministers of the ten Member States of the European Community Meeting in political cooperation, demanding the reduction of Community trade with South Africa, 8-9 March 1983.

Table 2 - EC/EU main policies against apartheid in South Africa⁵²⁹

Initiatives	Date of implementation	Date rescinded
Code of Conduct	September 1977	November 1985
sanctions on: -oil exports -paramilitary goods -sensitive technology -cultural, sporting and scientific contact	September 1985	April 1992
sanctions on: -nuclear cooperation -military cooperation -exchange of military attaches -Joint Package of positive and restrictive measures	September 1985	November 1993 October 1993 October 1993
Code of Conduct (revised)	November 1985	November 1993
European Special Programme	September 1986	-
ECSC Decision 86/459 prohibiting certain iron and steel imports	September 1986	January 1992
EC Decision 86/517 prohibiting new investments	September 1986	December 1990
EC Regulation 3302/86 prohibiting the import of Krugerrands (gold coins)	October 1986	January 1992
European Community Observer Mission to South Africa (ECOMSA)	October 1992	-
Development Council Framework	May 1993	-

Also during the 1980s, a series of disinvestment sanctions were promoted against SA, mainly by private individuals and groups such as the anti-apartheid activists, churches and other associations. These NGOs successfully managed to persuade a large number of European institutional investors to disassociate themselves from companies doing business in SA. The disinvestment of these institutional investors (state governments and universities among others) contributed to the creation of a climate of international hostility towards SA. As a consequence, the economy was plunged in a period of decay and crisis which triggered serious questions among members of the ruling class. The intensification of the sanctions sent a strong message to the supporters of apartheid in SA. In fact, South African governments soon realised that the costs of apartheid were destined to grow and that a thorough reconsideration of the whole system was needed.⁵³⁰ The various measures adopted by the EC/EU influenced the South African governments on the long term and played a key role in the political effort against apartheid.

⁵²⁹ Holland, M. [1998], 'Vices and Virtues: Europe's Foreign Policy and South Africa, 1977-1997', *European Foreign Affairs Review*, 3 (2): 215-232.

⁵³⁰ Lowenberg, A. D. 1997. 'Why South Africa's Apartheid Economy Failed'. *Contemporary Economic Policy* Vol.15.

3. Creating a united EC/EU against apartheid

The EC/EU member states reacted differently when confronted with the need for action against apartheid. A wide variety of approaches were proposed which differed from each other as not all member states were truly convinced of the need for restrictive measures. This acted as obstacle against the formulation of a united response by the EC/EU to apartheid. Furthermore, this was the primary cause for the period of time during which no further initiatives were adopted, between 1977 and 1985. In fact, while countries such as Denmark and Sweden imposed total bans, countries such as Britain and West Germany remained more reluctant to the use of sanctions. The primary cause for this reluctance was linked to the fact that these countries did not initially believe in the need for harsh measures to achieve change in SA. Nevertheless, with the increase of civil unrest and the reports from international observers of repressive violence, all member states opted for decisive measures. As a result, economic ties and connections with SA were reduced and in certain cases interrupted. The European economic exchanges (Exports/Imports) with SA were drastically reduced around the mid 1980s; even if some trade negotiations persisted. Moreover, various branches of banks, firms and other agencies decided to abandon their businesses in SA in sign of disagreement with its discriminatory policies.

Regardless of the initial reluctance of certain member states, the EU was able to present itself as a compact unit and thus was more successful in combating apartheid. The creation of a unified European front was a fundamental step towards the abolition of apartheid; in fact, it enabled the EU to adopt sanctions and to impose itself economically against SA. This facilitated the process of adopting sanctions as these initiatives were met with general agreement rather than reluctance or disenchantment.

4. Financial aids

The European Parliament also contributed to the end of apartheid by offering financial aids to the Front Line States (FLS).⁵³¹ The term Front Line States came to denote those southern African countries that were on the forefront of the struggle against South Africa in the 1970s and 1980s. The Front Line coalition was formed by the following independent southern Africa states: Angola, Botswana, Mozambique, Tanzania, Zambia and Zimbabwe.⁵³² This diplomatic coalition held the objective of defeating apartheid and the achievement of security and stability in the area. The FLS was successful in creating a hostile front which imposed sanctions on South Africa and gave moral support to the anti-apartheid organisations. Furthermore, the FLS awakened the desire for security and political stability in southern Africa and revived African aspirations. The FLS paved the way for the creation of the Southern African Development Co-ordination Conference (SADCC). The SADCC aimed at promoting economic liberation and the development of regional strategies in order to reduce the economic dependence on SA. Both the FLS and

⁵³¹ Answer by Mr Marin on behalf of the Commission on assistance to the Front Line States, 17 February 1989. - Session documents 1987-1988, motion for a resolution, tabled by Mr Lucas Pires and Mr Campinos, 18 June 1987. - Nuttall, J. S., 2002, *European Political Co-operation*, Oxford: Oxford University Press.

⁵³² Evans, M. 1985, *The Front-Line States, South Africa and Southern African Security: Military Prospects and Perspectives*, Lecture by the Department of History at the University of Zimbabwe.

the SADCC contributed greatly to the abolition of Apartheid also thanks to the financial aids received by the EU.

The opposition in SA received the financial support of international donors such as individual European or neighbouring African countries but also international organisations such as the United Nations. Various members of the European Parliament also repeatedly requested that financial support be given to the ANC by the EU Parliament.⁵³³ Nevertheless, these financial aids were denied on the grounds that this organisation was pursuing a political goal.⁵³⁴

In SA a large portion of the population (the wide majority were black South Africans) lived under the national poverty line and in conditions of social inequality.⁵³⁵ The various economic sanctions adopted against SA meant that the daily economic struggle was



*Nelson Mandela addressing plenary at the EP's Strasbourg part-session in June 1990.
Behind Mr Mandela: EP President Enrique Barón Crespo and EP Secretary-General Enrico Vinci.*

⁵³³ Working Documents 1982-1983, motion for a resolution, tabled by Mrs Cinciari Rodano and Mrs Caretoni Romagnoli, 17 February 1983. - Committee on Development and Cooperation Minutes of the Meeting held on 15-16 June 1983 (Brussels); 25-26 January 1984 (Brussels); 2-3 February 1984 (Brussels); 21-22 March 1984 (Brussels).

⁵³⁴ Letter by Mr Niels Jorgen Haagerup to the President of the Commission for Cooperation and Development, Mr Michel Poniatoski, 13 March 1984. This letter explains that no financial aid can be given to political organisations that pursue political goals.

⁵³⁵ Beinart, W., 2001. Twentieth-century South Africa, Oxford: Oxford University Press.

doomed to get tougher; the various embargos increased the economic hardships of an already very poor population. Nevertheless, it is thanks to international financial support that humanitarian associations and church groups were able to provide services to the poorer sections of society: basic education, food supplies and other provisions. The EU Commission also approved financial contribution to non-military organisations and groups to finance welfare and humanitarian schemes.⁵³⁶ Moreover, the EU repeatedly met with members of church groups operating in South Africa and expressed its support for their activities.⁵³⁷ Thanks to these foreign aids, the population was enabled to resist during the years of economic adversity which resulted from the various embargos imposed.

5. Conclusion

While the EU expressed its opposition to apartheid on various occasions, no concrete actions were taken until the *Code of Conduct* was issued in 1977. Members of the EC repeatedly questioned the effectiveness of the Code and demanded that further initiatives be adopted against SA. Regardless of the scepticism and critiques, the EC/EU did not put into practice any additional measures until 1985. In this year, the EC/EU the *Code* was revised, new sanctions on nuclear and military co-operation were adopted and oil embargos were imposed on SA.

Scholars argue that sanctions are only effective when they give way to political change; not when they create economic hardship on the population. Moreover, sanctions are meant to reduce economic welfare in order to persuade the political elite to abandon a particular political stance and/or to change its policies regarding a specific issue. Nevertheless, while the effects of the EU restrictive measures were not so significant on the short term they certainly functioned as deterrent against apartheid on the long term. In fact, they had visible repercussions on the economy and politics; the political elite faced strong (foreign and domestic) opposition and thus felt compelled to change some aspects of its policymaking. Some apartheid restrictions were lifted: the ban on the ANC was abolished, the various ethnic groups had greater political representation and the cooperation with black trade union associations increased. On the other hand, certain basic human rights were still not recognised for everyone and the system remained centred on white racial superiority.

While there were initial difficulties in formulating a common response to apartheid the European Union was able to create a united front in the mid 1980s and thus presented itself as a cohesive entity. This was a significant step in the struggle against apartheid as the EC/EU played a vital role in this process.

It can be argued that the trade embargos, the sanctions adopted by the EC/EU, the international pressure, the opposition of domestic groups (both political factions⁵³⁸ and

⁵³⁶ Special Community Programme of Assistance for Apartheid Victims-Initial Financing Decisions, 23 July 1986.

⁵³⁷ On 25 November 1986 Vice-President of the European Commission Lorenzo Natali met with a delegation from the Southern Africa Catholic Bishops' Conference (SACBC). - Vice-President of the European Commission Lorenzo Natali met with a delegation of the South African churches and the Kagiso Trust on 30 May 1988, to discuss positive actions if favour of the victims of Apartheid.

⁵³⁸ The politically active groups were the following: African National Congress (ANC), Pan-Africanist Congress, South African Communist Party, Black Consciousness Movement (BCM), Azanian People's Organisation (AZAPO), United Democratic Movement, New Unity Movement, Unity Movements of South Africa. Other groups were community-based organisations such as the Port Elizabeth Black Civics Organisation, Soweto Civics Organisation, Civic Association of Southern Transvaal, South African National Civics Organisation, Action Committee to Stop Evictions, United Municipalities of South Africa. Nevertheless,

armed guerrilla⁵³⁹) along with the efforts of the FLS and SADCC (both financed by the EU) have contributed to the end of apartheid. It is thus a combination of internal and external factors that put an end to the decades of racial laws and discrimination. This combination of pressures forced the political elite of SA to enter into negotiations with its more liberal counterparts and opposition groups. This process eventually led to the dismantling of the repressive and racist dictatorship in the early 1990s⁵⁴⁰, an event which was welcomed warmly by the European Council.⁵⁴¹

To conclude, the Council of the European Union decided in 1993 to assist the transition to a democratic and multi-racial society by financing numerous programmes.⁵⁴² The various EC/EU efforts (before and after 1994) were fundamental for the achievement of liberal democracy in SA. The European Parliament expressed its satisfaction following the 1994 free general elections in the Republic of South Africa (RSA) and renewed its support for democracy in the country.⁵⁴³

trade union associations such as United Workers' Union of South Africa, Congress of South African Trade Unions (COSATU), National Council of Trade Unions and others also contributed greatly to fighting apartheid.

⁵³⁹ The guerrilla was primarily waged by armed wings of political factions as is the case with the Umkhonto we Sizwe (MK) led by Nelson Mandela under direction of the ANC or the less successful Poqo led by Robert Sobukwe, which was the armed wing of the PAC. Information taken from the African National Congress official website www.anc.org.za and from Fatton, R., 1986. *Black Consciousness in South Africa: the Dialectics of Ideological Resistance to White Supremacy*, New York: State University of New York Press.

⁵⁴⁰ Ottaway, M. and Carothers, T., 2000, *Funding Virtue: Civil Society, Aid and Democracy Promotion*, Washington: The Brookings Institution Press.

⁵⁴¹ Declaration by the European Council on Southern Africa, Dublin, 25-26 June 1990.

⁵⁴² Joint Action Adopted by the Council of the European Union on the Basis of Article J.3 of the Treaty on European Union, Concerning Support for the Transition towards a Democratic and Multi-Racial South Africa, 6 December 1993.

⁵⁴³ Declaration of the European Union on South Africa, Brussels, 6 May 1994.

BIBLIOGRAPHY

EC/EU DOCUMENTS

Working Documents/Documents de Séance

- Working Documents 1979-1980, motion for a resolution, tabled by Mrs Bonino, Mrs Castellina and Mr Coppieters, 12 November 1979.
- Working Documents 1979-1980, motion for a resolution, tabled by Mrs Cassanmagnaco Cerretti, Mrs Maij-Weggen, Mrs Gaiotti de Biase, Mr Bersani, Mr Beumer, Mr Estgen, Mr Herman, Mr Ligios, Mr Michel, Mr Narducci, Mr Penders, Mr Seitlinger and Mr Verger, 15 November 1979.
- Working Documents 1980-1981, motion for a resolution, tabled by Mr Glinne, Mrs Van de Heuvel, Mr Kavanagh, Mr Colla, Mr Cariglia, Mr Linde, Mr Pelikan, Mr Estier, Mrs Gredal and Mr Van Minnen, 14 April 1980.
- Working Documents 1980-1981, motion for a resolution, tabled by Mr Ansart, Mrs Poirier, Mr Denis, Mr Piquet and Mr Vergès, 22 May 1980.
- Working Documents 1980-1981, motion for a resolution, tabled by Mrs Roudy, Mrs Lizin, Mrs Fullet and Mrs Vayssade, 19 September 1980.
- Working Documents 1981-1982, motion for a resolution, tabled by Mr Van Miert and Mr Glinne, 8 March 1982.
- Working Documents 1981-1982, motion for a resolution, tabled by Mr Denis, Mr Ferrero, Mr Vergers, Mr Ephremedis, Mr Kyrkos and Mr Boserup, 10 May 1982.
- Working Documents 1982-1983, motion for a resolution, tabled by Mrs Cinciari Rodano and Mrs Caretoni Romagnoli, 17 February 1983.
- Working Documents 1983-1984, motion for a resolution, tabled by Mr Van Miert and Mr Glinne, 12 September 1983.
- Working Documents 1987-1988, motion for a resolution, tabled by Mr Lucas Pires and Mr Campinos, 18 June 1987.

Questions and Answers

- Written question by Mrs Goutmann to the European Community Commission, 'Apartheid and Arms Sale to South Africa', 4 July 1975.
- Written Question by M. O'Connell to the Foreign Ministers of the Nine Member States of the Community Meeting In Political Cooperation, 13 September 1979.
- Oral question by Mrs Ewing to the Foreign Ministers of the ten Member States of the European Community, demanding the reduction of Community trade with South Africa, 8-9 March 1983.
- Answer by Mr Marin on behalf of the Commission on assistance to the Front Line States, 17 February 1989.

European Councils

- European Council of 26/27 June 1986 held in The Hague.
- European Council of 27/28 June 1988 held in Hannover.
- European Council of 26/27 June 1989 held in Madrid.

Declarations

- Declaration made by Sir Cristopher Soames to the European Parliament on 14 March 1973.
- Declaration by the European Council on Southern Africa, Dublin, 25-26 June 1990.
- Declaration of the European Union on South Africa, Brussels, 6 May 1994.

Committee on Development and Cooperation

- Draft Report issued by the Committee on Development and Cooperation on the 'Context, Form, Status and Application of the Code of Conduct for Community Companies with Subsidiaries, Branches or Representation in South Africa', rapporteur P. Lagorce.

Committee on Development and Cooperation Minutes of the Meetings held on:

15-16 June 1983 (Brussels);

25-26 January 1984 (Brussels);

2-3 February 1984 (Brussels);

21-22 March 1984 (Brussels).

- Letter by Mr Niels Jorgen Haagerup to the President of the Commission for Cooperation and Development, Mr Michel Poniowski, 13 March 1984.

Various Documents

- Press Statement by the Ten Foreign Ministers on South Africa, Luxembourg, 10 September 1985.
- Communiqué of the Meeting of the Foreign Ministers of the Frontline States and of the Member States of the European Community, Lusaka, 3-4 February 1986.
- Joint Action Adopted by the Council of the European Union on the Basis of Article J.3 of the Treaty on European Union Concerning Support for the Transition towards a Democratic and Multi-Racial South Africa, 6 December 1993.

BOOKS AND JOURNALS

- Beinart, W., 2001. *Twentieth-century South Africa*, Oxford: Oxford University Press.
- Crankshaw, O., 1997. *Race, Class, and the Changing Division of Labour under Apartheid*, New York: Routledge.
- Crawford, N: and Klotz, A., 1999. *How Sanctions Work: Lessons from South Africa*, London: Macmillan Press LTD.
- Egerö, B., 1991. *South Africa's Bantustans, From Dumping Grounds to Battlefronts*, Motala: Motala Grafiska.
- Evans, M. 1985. *The Front-Line States, South Africa and Southern African Security: Military Prospects and Perspectives*, Lecture by the Department of History at the University of Zimbabwe.
- Fatton, R., 1986. *Black Consciousness in South Africa: the Dialectics of Ideological Resistance to White Supremacy*, New York: State University of New York Press.
- Holland, M. [1989], 'Disinvestment, Sanctions and the European Community's Code of Conduct in South Africa' 529-547.
- Holland, M. [1998], 'Vices and Virtues: Europe's Foreign Policy and South Africa, 1977-1997', *European Foreign Affairs Review*, 3 (2): 215-232.
- Horwitz, S. 2009, *Health and Health Care under Apartheid*, Johannesburg: Adler Museum of Medicine.
- Lewis, R. S., 1990. *The Economics of Apartheid*, New York: Council on Foreign Relations Press.
- Louw, P. E., 2004. *The Rise, Fall, and Legacy of Apartheid*, Westport: Praeger Publishers.
- Lowenberg, A. D. 1997. 'Why South Africa's Apartheid Economy Failed'. *Contemporary Economic Policy*, Vol.15.
- Marais, H., 1999. *South Africa: Limits to Change, the Political Economy of Transition*, Zed Books LTD.
- Niblett, R. and Mix, D., 2006. *Transatlantic Approaches to Sanctions: Principles and Recommendations for Action*. CSIS Europe Program, 10 October 2006.
- Nuttall, J. S., 2002. *European Political Co-operation*, Oxford: Oxford University Press.
- Ottaway, M. and Carothers, T., 2000. *Funding Virtue: Civil Society, Aid and Democracy Promotion*, Washington: The Brookings Institution Press.
- Selod, H. and Zenou, Y. [2001] 'Location and Education in South African Cities under and after Apartheid', *Journal of Urban Economics*, 168-198.
- Worden, N., 2000. *The Making of Modern South Africa: Conquest, Segregation, and Apartheid*, Oxford: Blackwell Publishing Ltd.

ANNEXES

1. LIST OF DOCUMENTS OF THE DEVELOPMENT COMMITTEES BY PARLIAMENTARY TERM

**REPORTS OF THE COMMITTEE ON ASSOCIATION WITH OVERSEAS
COUNTRIES AND TERRITORIES -
EUROPEAN PARLIAMENTARY ASSEMBLY (1958-1960)**

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
1	65/58	<i>Sections of the General Report on the activities of the European Economic Community relating to the association of overseas countries and territories (Chapter VII). Rap: Carboni</i>
2	10/59	<i>Problems relevant to the association of overseas countries and territories. Rap: Carboni</i>
3	67/59	<i>Legal and political issues relating to the association of the Community with the overseas countries and territories and problems relating to information about the objectives and achievements of the European Communities, both in Europe and in Africa. Rap: Duvieusart</i>
4	69/59	<i>Economic issues relating to the association of the overseas countries and territories with the Common Market. Rap: Peyrefitte</i>
5	70/59	<i>Social issues of the African countries associated with the European Economic Community visited by the delegation. Rap: Nederhorst</i>
6	80/59	<i>Issues relating to the association of the European Economic Community with the overseas countries and territories (complementary report to reports 67, 69, 70/59 – motion for a resolution). Rap: Scheel</i>
7	12/60	<i>Organisation of an Intergovernmental Conference on the issues affecting both Africa and Europe. Rap: Duvieusart</i>
8	83/60	<i>Legal and political issues relating to the association of the Community with the overseas countries and territories examined during the second study and information mission. Rap: Peyrefitte</i>
9	85/60	<i>Economic issues relating to the association of the Community with the overseas countries and territories examined during the second study and information mission. Rap: De Block</i>
10	86/60	<i>Social issues relating to the association of the Community with the overseas countries and territories examined during the second study and information mission. Rap: Pedini</i>
11	96/60	<i>Issues relating to the association of the European Economic Community with the overseas countries and territories (complementary report to reports 83, 85, 86/60 – motion for a resolution). Rap: Scheel</i>

**REPORTS OF THE COMMITTEE FOR COOPERATION WITH DEVELOPING
COUNTRIES (1961-1967)**

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
1	10/61	<i>Operation of the Development Fund. Rap: Moro</i>
2	18/61	<i>Political issues relating to the association of the Community with the overseas countries and territories examined during the third study and information mission. Rap: Kapteyn</i>
3	19/61	<i>Economic issues relating to the association of the Community with the overseas countries and territories examined during the third study and information mission. Rap: Geiger</i>
4	20/61	<i>Social issues of the countries visited during the third study and information mission. Rap: Peyrefitte</i>
5	22/61	<i>Operation of the Development Fund. Rap: Carcassonne</i>
6	23/61	<i>Issues relating to the association of the European Economic Community with the overseas countries and territories (complementary report to reports 18, 19, 20/61 – motion for a resolution). Rap: Scheel</i>
7	102/61	<i>Problems of the Association of the overseas states and territories associated with the Community (motion for a resolution). Rap: Dehousse</i>
8	115/61	<i>Granting of emergency aid to the Republic of Somalia. Rap: Moro</i>
9	139/61	<i>Recommendation by the Permanent Joint Committee adopted in Abidjan on 10 January 1962. Rap: Moro</i>
10	57/62	<i>Recommendation adopted by the Permanent Joint Committee in Strasbourg on 15 May 1962 (Doc. 32) and the current problems of the Association linked to it. Rap: van der Goes van Naters</i>
11	76/62	<i>Draft texts submitted by the EEC Council (Doc. 61) with a view to making the special association regime defined in the fourth part of the Treaty applicable to the Netherlands Antilles. Rap: Angioy</i>
12	77/62	<i>Interpretation of Article 136 of the Treaty establishing the European Economic Community and the powers of the European Parliament with regard to the renewal of the implementation convention referred to in that article. Rap: Dehousse</i>
13	84/62	<i>Draft texts submitted by the EEC Council (Doc. 61) with a view to making the special association regime defined in the fourth part of the Treaty applicable to the Netherlands Antilles (complementary report to report 76/62 – motion for a resolution). Rap: Angioy</i>
14	91/62	<i>Procedure for the conclusion and entry into force of the new Association Convention (complementary report to report 77/62 – motion for a resolution). Rap: Dehousse</i>

THE DEVELOPMENT COMMITTEES

Reports and resolutions of the various committees responsible for development cooperation from 1958 to 1999

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
15	99/62	<i>Recommendation adopted by the Permanent Joint Committee in Antananarivo on 5 October 1962 (Doc. 90) and the prospects offered by the fourth ministerial meeting between the EEC and the Associated States. Rap: Duvieusart</i>
16	106/62	<i>Community objectives during the phase corresponding to the second stage of the transition period in respect of the association and aid for developing countries. Rap: Margulies (working document for the November 1962 conference with the Council).</i>
17	147/62	<i>Entry into force of the new Association Convention. Rap: Margulies</i>
18	13/63	<i>Problems raised by the current situation of the Association and in particular by the postponement of the signing of the new Convention. Rap: Thorn (interim report)</i>
19	65/63	<i>Association Convention between the European Community and the Associated African States and Madagascar, and the annexed documents (Doc. 59 II). Rap: Thorn</i>
20	67/63	<i>Internal agreements of the European Economic Community on the Association Convention between the European Community and the Associated African States and Madagascar. Rap: Hahn</i>
21	120/63	<i>Draft Decision of the EEC Council (Doc. 109) on the association of overseas countries and territories to the Community. Rap: Metzger</i>
22	121/63	<i>Study and information mission carried out in the Netherlands Antilles, Suriname, French Guyana, Martinique and Guadeloupe. Rap: Charpentier</i>
23	126/63	<i>Study and information mission carried out in the Netherlands Antilles, Suriname, French Guyana, Martinique and Guadeloupe (complementary report to report 121/62 – motion for a resolution). Rap: Charpentier</i>
24	42/64	<i>Final decisions of the meeting preparatory to the Parliamentary Conference of the Association, held in Messina on 21 and 22 February 1964. Rap: Margulies</i>
25	77/64	<i>Coordination of bilateral relations between the Member States of the EEC and the Associated African States and Madagascar. Rap: van der Goes van Naters</i>
26	95/64	<i>Taking stock of the first Development Fund and the lessons to be learnt for the operations of the second Fund. Rap: Armengaud</i>
27	133/64	<i>First meeting of the Parliamentary Conference of the Association, held in Dakar from 8 to 10 December 1964. Rap: Carcassonne</i>
28	39/65	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 112/1964-1965) for a Regulation for a scheme applicable to certain processed products originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Angioy</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
29	62/65	<i>Proposal from the Commission of the European Economic Community to the Council (Doc.115/1964-1965) for a Regulation laying down special provisions applicable to oilseed products originating in the Associated African States and Madagascar and overseas countries and territories and imported into the Community. Rap: Aigner</i>
30	100/65	<i>Growth of trade between the European Economic Community and the Associated African States and Madagascar. Rap: Spedale</i>
31	9/66	<i>Second meeting of the Parliamentary Conference of the Association, held in Rome from 6 to 9 December 1964. Rap: Metzger</i>
32	16/66	<i>Current problems of technical and cultural cooperation within the framework of the Association between the EEC and the Associated African States and Madagascar. Rap: Moro</i>
33	74/66	<i>Activities of the European Atomic Energy Community concerning aid to developing countries. Rap: van Hulst</i>
34	75/66	<i>Relations between the European Coal and Steel Community and the Associated African States and Madagascar. Rap: Carcassonne</i>
35	134/66	<i>Agreement establishing an Association between the European Economic Community and the Republic of Nigeria and annexed documents. Rap: Moro</i>
36	16/67	<i>Results of the third meeting of the Parliamentary Conference of the Association, held in Abidjan from 10 to 14 December 1964. Rap: Scarascia Mugnozza</i>

**REPORTS OF THE COMMITTEE ON RELATIONS WITH THE AFRICAN
COUNTRIES AND MADAGASCAR –
EUROPEAN PARLIAMENT (1967-1972)**

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
1	83/67	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 58) for a Regulation concerning the scheme applicable to rice and broken rice originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Briot.</i>
2	100/67	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 96) for a Regulation concerning the scheme applicable to sugar originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Carcassonne</i>
3	101/67	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 97) for a Regulation concerning the scheme applicable to processed rice and cereal-based products originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Carboni</i>
4	120/67	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 116) for a Regulation concerning the scheme applicable to processed fruit and vegetable products with added sugar originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Thorn</i>
5	135/67	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 134/67) for a Regulation concerning the scheme applicable to processed fruit and vegetable products with added sugar originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Thorn</i>
6	154/67	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 148/67) for a Regulation extending Regulation (EEC) No 361/67 concerning the scheme applicable to processed rice and cereal-based products originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Carboni</i>
7	178/67	<i>Results of the Fourth Meeting of the Parliamentary Conference of the EEC/AASM Association, held in Strasbourg from 4 to 7 December 1967. Rap: Aigner</i>
8	7/68	<i>Implementation of the provisions of Article 11 of the Yaoundé Convention in respect of sugar produced by the Associated African States and Madagascar. Rap: Carcassonne</i>
9	62/68	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 42/68) for a Regulation concerning the scheme applicable to processed fruit and vegetable products originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Briot</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
10	63/68	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 43/68) for a Regulation concerning the scheme applicable to sugar originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Briot</i>
11	64/68	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 44/68) for a Regulation concerning the scheme applicable to processed rice and cereal-based products originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Briot</i>
12	65/68	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 45/68) for a Regulation extending Regulation (EEC) No 404/67 concerning the scheme applicable to processed rice and cereal-based products originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Briot</i>
13	89/68	<i>Taking stock of financial and technical cooperation within the EEC/AASM Association. Rap: Metzger</i>
14	136/68	<i>Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya and annexed documents (Doc. 117/68). Rap: Moro</i>
15	137/68	<i>Renewal of the Yaoundé Convention. Rap: Thorn</i>
16	165/68	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 127/68) for a Regulation amending Regulation (EEC) No 800/68 concerning the tariff description of starches imported from the Associated African States and Madagascar and overseas countries and territories. Rap: Carcassonne</i>
17	226/68	<i>Mission undertaken from 17 to 20 February 1969 by a European Parliament delegation to the East African Community in Arusha. Rap: Bersani</i>
18	228/68	<i>Results of the Fifth Annual Meeting of the Parliamentary Conference of the EEC/AASM Association, held in Antananarivo from 10 to 15 January 1969. Rap: Vals</i>
19	36/69	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 122/67-IV) for a Regulation concerning the scheme applicable to raw or unmanufactured tobacco and tobacco waste originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Briot.</i>
20	37/69	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 35/69-I) for a Regulation extending the scheme applicable to certain agricultural products originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Dewulf</i>

THE DEVELOPMENT COMMITTEES

Reports and resolutions of the various committees responsible for development cooperation from 1958 to 1999

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
21	38/69	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 35/69-II) for a Regulation amending Regulation (EEC) No 800/68 concerning the scheme applicable to processed rice and cereal-based products originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Armengaud</i>
22	48/69	<i>Agreement establishing an Association between the EEC and the Republic of Tunisia (Doc. 13/69); Agreement establishing an Association between the EEC and the Kingdom of Morocco (Doc. 14/69); related draft Regulations (Doc. 19/69, Doc. 20/69 and Doc. 19/20/21/69-Ann). Rap: Bersani</i>
23	115/69	<i>Proposals from the Commission of the European Economic Community to the Council for five Regulations concerning the schemes applicable to the following products originating in the Associated African States and Madagascar and overseas countries and territories: beef and veal, rice and broken rice, oilseed products, processed rice and cereal-based products, processed fruit and vegetable products; Regulation laying down derogation measures for imports into the overseas departments of the French Republic of certain agricultural products originating in the Associated African States and Madagascar and overseas countries and territories (Doc. 97/69); Regulation amending Regulation (EEC) No 1009/67 on the organisation of a common market in the sugar sector (Doc. 105/69). Rap: Briot</i>
24	175/69	<i>Association Agreement between the EEC and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya and annexed documents (Doc. 133/69). Rap: Bersani</i>
25	176/69	<i>Association Convention between the EEC and the Associated African States and Madagascar (Doc. 132/69). Rap: Achenbach</i>
26	245/69	<i>Draft Decision of the Council of the European Communities (Doc. 100/69) concerning the association of the overseas countries and territories with the EEC. Rap: Glinne.</i>
27	2/70	<i>Results of the Sixth Annual Meeting of the EEC/AASM Parliamentary Conference. Rap: Armengaud</i>
28	92rev/70	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 61/70) for a Regulation concerning the scheme applicable to corn originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Fellermaier</i>
29	93rev/70	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 62/70) for a Regulation extending the schemes applicable to certain agricultural products originating in the Associated African States and Madagascar and overseas countries and territories to the same products originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya. Rap: Dewulf</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
30	115/70	<i>Proposal for a Council Regulation (Doc. 112/70) concluding the agreement in the form of an exchange of letters concerning the amendment of Article 5 of Annex 1 to the Association Agreement between the EEC and the Republic of Tunisia and the correction of a material error in list 5 of Annex 3 to that Agreement. Rap: Briot.</i>
31	138/70	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 99/70) for a Regulation concerning imports of olive oil from Tunisia. Rap: Briot</i>
32	178/70	<i>Proposals from the Commission of the European Economic Community to the Council (Doc. 134/70) for: I. a Regulation (EEC) amending Regulation (EEC) No 1467 of 23 July 1969 concerning imports of citrus fruit originating in Morocco; II. a Regulation (EEC) amending Regulation (EEC) No 1472 of 23 July 1969 concerning imports of citrus fruit originating in Tunisia. Rap: Bersani.</i>
33	260/70	<i>I. Proposal for a Council Regulation concluding two agreements in the form of an exchange of letters, one concerning the amendment of Article 5 of Annex 1 to the Association Agreement between the EEC and the Kingdom of Morocco, and the other concerning corrections of material errors to be made to lists 1 and 6 of Annex 3 to that Agreement; II. Proposal from the Commission of the European Economic Community to the Council (Doc. 222/70) for a Regulation concerning imports of olive oil from Morocco. Rap: Briot</i>
34	26/71	<i>Fact-finding and information mission undertaken from 4 to 11 September 1970 in the Netherlands Antilles and Suriname. Rap: Bersani</i>
35	36/71	<i>Results of the Seventh Annual Meeting of the EEC/AASM Parliamentary Conference. Rap: Briot</i>
36	62/71	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 11/71) for a Regulation concerning the scheme applicable to fisheries products originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Bersani</i>
37	86/71	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 64/71) for: I. a Regulation on imports into the Community of fisheries products originating in Morocco; II. a Regulation on imports into the Community of fisheries products originating in Tunisia. Rap: Laudrin</i>
38	211/71	<i>Request for accession by Mauritius to the Yaoundé II Convention. Rap: Seefeld</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
39	219/71	<i>Proposals from the Commission of the European Economic Community to the Council (Doc. 189/71) for: I. a Regulation on the scheme applicable to certain fresh fruit and vegetables originating in Associated African States and Madagascar and overseas countries and territories; II. a Regulation on the scheme applicable to certain fresh fruit and vegetables originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya. Rap: Dewulf</i>
40	274/71	<i>Results of the Eighth Annual Meeting of the EEC/AASM Parliamentary Conference. Rap: Dewulf</i>
41	275/71	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 236/71) amending, as regards the tariff nomenclature, Regulations (EEC) No 522/70 and 653/71 concerning the scheme applicable to processed rice and cereal-based products originating in the Associated African States and Madagascar and overseas countries and territories. Rap: Briot</i>
42	66/72	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 43/72) on the Association Agreement for the accession of Mauritius to the Association Convention between the EEC and the Associated African States and Madagascar and overseas countries and territories. Rap: Seefeld</i>
43	67/72	<i>Proposal (Doc. 24/72) and amended proposal (Doc. 39/72) from the Commission of the European Economic Community to the Council for a Regulation amending Council Regulation (EEC) No 656/71 of 30 March 1971 concerning corn originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya. Rap: Dewulf</i>
44	237/72	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 64/71) for: I. a Regulation extending Regulation (EEC) No 227/72 on imports into the Community of fisheries products originating in Tunisia; II. a Regulation extending Regulation (EEC) No 228/72 on imports into the Community of fisheries products originating in Morocco. Rap: Laudrin</i>
45	310/72	<i>Proposals from the Commission of the European Economic Community to the Council (Doc. 309/72 for: I. a Regulation temporarily suspending the customs duties applicable to certain fresh fruit and vegetables originating in the Associated African States and Madagascar and overseas countries and territories; II. a Regulation temporarily suspending the customs duties applicable to certain fresh fruit and vegetables originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya. Rap: Dewulf</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
1	3/73	<i>Resolution of the Parliamentary Committee of the EEC/East Africa Association adopted at Nairobi on 28 November 1972 (Doc. 255/72). Rap: Bersani</i>
2	5/73	<i>Agreement between the European Economic Community and the Arab Republic of Egypt. Rap: Dewulf</i>
3	56/73	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 19/73) for a Regulation concerning the scheme applicable to the import of a certain quantity of raw sugar originating in the Associated African States and Madagascar. Rap: Dodds-Parker</i>
4	58/73	<i>Emergency assistance to be given by the Community to alleviate the consequences of the drought in Africa. Rap: Spénale</i>
5	87/73	<i>Results of the Ninth Annual Meeting of the Parliamentary Conference of the EEC/AASM Association. Rap: Harmegnies</i>
6	162/73	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 140/73) for: I. a Regulation amending Regulation (EEC) No 859/72 concerning the scheme applicable to certain fresh fruit and vegetables originating in the Associated African States and Madagascar and overseas countries and territories; II. a Regulation amending Regulation (EEC) No 860/72 concerning the scheme applicable to certain fresh fruit and vegetables originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya. Rap: Dewulf</i>
7	163/73	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 142/73) for a Regulation amending Regulation (EEC) No 2721/72 relating to the supply as food aid of skimmed-milk powder. Rap: Seefeld</i>
8	208/73	<i>Proposal from the Commission of the European Economic Community to the Council (Doc. 290/73) for a Regulation laying down a Community system of guarantees for private investment in third countries. Rap: Armengaud</i>
9	233/73	<i>Speedier negotiations for a commercial cooperation agreement between the EEC and India. Rap: Rivierez</i>
10	271/73	<i>Aid to the Sahel countries affected by drought. Rap: Spénale</i>
11	272/73	<i>Proposals from the Commission of the European Economic Community to the Council (Doc. 171/73 and 243/73) for Regulations on the application of the European Community's scheme of generalised preferences in favour of developing countries for the year 1974. Rap: Dewulf</i>
12	315/73	<i>Proposal from the Commission of the European Communities to the Council (Doc. 312/73) for a Regulation relating to the supply as food aid of skimmed-milk powder. Rap: Seefeld</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
13	376/73	<i>Future sugar policy of the Community with particular reference to imports of sugar from the developing countries and in the light of the Commission's Memorandum of 12 July 1973 (interim report). Rap: Dodds-Parker</i>
14	406/73	<i>Results of the Tenth Annual Meeting of the Parliamentary Conference of the EEC/AASM Association (Rome, 30 January to 1 February 1974). Rap: Reay</i>
15	32/74	<i>Future sugar policy of the Community with particular reference to imports of sugar from the developing countries and in the light of the Commission's Memorandum of 12 July 1973 (second interim report). Rap: Dodds-Parker</i>
16	111/74	<i>Overall result of financial and technical cooperation within the framework of the EEC/AASM Association. Rap: Dewulf</i>
17	171/74	<i>Proposal from the Commission of the European Communities to the Council (Doc. 37/74) for a communication on the food aid policy of the EEC. Rap: Seefeld</i>
18	172/74	<i>Proposal from the Commission of the European Communities to the Council (Doc. 312/73) for a Regulation to extend the list of products falling within Chapters 1 to 24 of the Common Customs Tariff, in respect of which the scheme of generalised preferences in favour of developing countries is applicable under Council Regulation (EEC) No 3506/73 of 18 December 1973. Rap: Nielsen</i>
19	177/74	<i>Attempt to neutralise certain international price movements for the most affected developing countries. Rap: Sandri</i>
20	285/74	<i>Proposals and communications from the Commission of the European Communities to the Council (Doc. 201/74) concerning the grant of the generalised tariff preferences for 1975 to exports of semi-manufactured products falling within Chapters 1 to 24 of the Common Customs Tariff and manufactured and semi-manufactured products falling within Chapters 25 to 99 of the Common Customs Tariff originating in developing countries. Rap: Kaspereit</i>
21	349/74	<i>Proposal from the Commission of the European Communities to the Council (Doc. 331/74) for a Regulation laying down basic rules for the supply of skimmed-milk powder as food aid to the countries of the Sahel and Ethiopia. Rap: Seefeld</i>
22	388/74	<i>Negotiations between the EEC and the ACP countries on the renewal and enlargement of the association. Rap: Flesch</i>
23	441/74	<i>Communication from the Commission of the European Communities to the Council (Doc. 433/74) on the transitional measures to be implemented after 31 January 1975 in the context of relations with the countries of Africa, the Caribbean and the Pacific and the overseas countries and territories. Rap: Deschamps</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
24	494/74	<i>Proposal from the Commission of the European Communities to the Council (Doc. 474/74) for a Regulation amending Regulation (EEC) No 1052/73 on the supply of sugar to UNRWA as food aid pursuant to the Agreement with that Agency of 18 December 1972. Rap: Seefeld</i>
25	495/74	<i>Proposal from the Commission of the European Communities to the Council (Doc. 484/74) for a Regulation laying down general rules for the supply of skimmed-milk powder as food aid to Somalia. Rap: Seefeld</i>
26	498/74	<i>Results of the Eleventh Annual Meeting of the Parliamentary Conference of the EEC/AASM Association (Abidjan 27 to 29 January 1975). Rap: Sandri</i>
27	42/75	<i>Community's overall development cooperation policy. Rap: Bersani</i>
28	50/75	<i>Proposal from the Commission of the European Communities to the Council (Doc. 19/75) for a Regulation establishing the general rules concerning the supply of skimmed-milk powder as food aid to certain developing countries and international organisations under the 1975 programme. Rap: Nielsen</i>
29	101/75	<i>Proposal from the Commission of the European Communities to the Council (Doc. 19/75) for a Regulation establishing general rules concerning the supply of milk fats as food aid under the 1975 programme to certain developing countries and international agencies. Rap: Deschamps</i>
30	128/75	<i>Proposals from the Commission of the European Communities to the Council (Doc. 81/75) for: I. a Regulation opening, allocating and providing for the administration of a Community tariff quota for the products falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States; II. a Regulation relating to the arrangements applicable to certain agricultural and processed agricultural products originating in the African, Caribbean and Pacific States (or in the overseas countries and territories). Rap: Zeller</i>
31	130/75	<i>Proposals from the Commission of the European Communities to the Council (Doc. 102/75) for: I. a Regulation on the advance application of certain provisions of the ACP-EEC Lomé Convention relating to trade in goods; II. a draft Decision of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting in the Council, opening tariff preferences for products within the province of that Community originating in the African, Caribbean and Pacific States. Rap: Nolan.</i>
32	131/75	<i>Recommendation from the Commission of the European Communities to the Council (Doc. 109/75) for a resolution on the interim trade arrangements with the overseas countries and territories associated with the European Economic Community. Rap: Bersani</i>
33	133/75	<i>Communication from the Commission of the European Communities to the Council (Doc. 38/75) on Community financial and technical aid to non-associated developing countries, 1976 to 1980. Rap: Härzschel</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
34	280/75	<i>Communication from the Commission of the European Communities to the Council (Doc. 43/75) on relations between the European Economic Community and the associated overseas countries and territories (OCTs). Rap: Deschamps</i>
35	283/75	<i>Lomé Convention signed on 28 February 1975 between the EEC and the African, Caribbean and Pacific States (Doc. 212/75). Rap: Flesch.</i>
36	284/75	<i>Proposal from the Commission of the European Communities to the Council (Doc. 181/75) for a Regulation on the safeguard measures provided for in the ACP-EEC Lomé Convention of 28 February 1975. Rap: Flesch.</i>
37	285/75	<i>Proposals from the Commission of the European Communities to the Council (Doc. 181/75) for Regulations on the application of generalised tariff preferences in 1976. Rap: Dondelinger</i>
38	326/75	<i>Outcome of the World Food Conference (Rome, 5 to 15 November 1974) and on the Community's position as regards a world food policy. Rap: Glinne.</i>
39	442/75	<i>Proposal from the Commission of the European Communities to the Council (Doc. 439/75) for a Regulation establishing general rules concerning the supply of milk fats as food aid under the 1976 programme to certain developing countries and international agencies. Rap: Deschamps</i>
40	443/75	<i>Proposal from the Commission of the European Communities to the Council (Doc. 417/75) for a Regulation renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States. Rap: Zeller</i>
41	444/75	<i>Proposal from the Commission of the European Communities to the Council (Doc. 417/75) for a Regulation amending Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories. Rap: Zeller</i>
42	507/75	<i>Outcome of the Seventh Special Session of the UN General Assembly on development problems from 1 to 16 September 1975 in New York and on the 'mid-term review and appraisal of the international development strategy for the second UN development decade'. Rap: Krall</i>
43	508/75	<i>Proposals from the Commission of the European Communities to the Council (Doc. 482/75) for: I. a Regulation on the temporary and partial suspension of the autonomous Common Customs Tariff duty for foliage of asparagus plumosus of subheading ex 06.04 B I; II. a Regulation on the temporary and total suspension of the customs duty applicable in the Community as originally constituted on foliage of asparagus plumosus of subheading ex 06.04 B I imported from the new Member States. Rap: Nielsen</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
44	517/75	<i>Proposals from the Commission of the European Communities to the Council (Doc. 516/75) for: I. a draft Decision of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting in the Council, extending the validity of their Decision on 24 June 1975 opening tariff preferences for products within the province of that Community originating in the African, Caribbean and Pacific States and overseas countries and territories associated with the Community; II. a Council Regulation extending the validity of certain interim arrangements relating to trade with the African, Caribbean and Pacific States and overseas countries and territories associated with the European Economic Community. Rap: Glinne</i>
45	536/75	<i>Proposal from the Commission of the European Communities to the Council (Doc. 528/75) for a Regulation on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories. Rap: Zeller</i>
46	23/76	<i>Proposal from the Commission of the European Communities to the Council (Doc. 4/76) for a Regulation laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organisations under the 1976 programme. Rap: de Freitas</i>
47	43/76	<i>Proposal from the Commission of the European Communities to the Council (Doc. 42/76) for a Regulation concerning the supply of sugar to UNRWA as food aid pursuant to the Convention with that agency. Rap: Flesch</i>
48	127/76 rev	<i>Proposal from the Commission of the European Communities to the Council (Doc. 111/76) for a Regulation extending the validity of the rules on imports of beef and veal products originating in certain African, Caribbean and Pacific countries, laid down in Regulation (EEC) No 3328/75. Rap: Boothroyd</i>
49	131/76	<i>Communication from the Commission of the European Communities to the Council (Doc. 43/75) on renewal of the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA). Rap: Flesch</i>
50	207/76	<i>Proposal from the Commission of the European Communities to the Council (Doc. 161/76) amending Regulation (EEC) No 3015/75 of 17 November 1975 opening, allocating and providing for the administration of a Community tariff quota for raw or unmanufactured flue-cured Virginia type tobacco. Rap: Flesch</i>
51	208/76	<i>Proposal from the Commission of the European Communities to the Council (Doc. 183/76) for a Regulation amending the Regulation laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organisations under the 1976 programme. Rap: Broeksz</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
52	332/76	<i>Proposals from the Commission of the European Communities to the Council (Doc. 242/76) for Regulations on the application of generalised tariff preferences in 1977. Rap: de Freitas</i>
53	333/76	<i>Preparation, conduct and outcome of the fourth United Nations Conference on Trade and Development (5 to 31 May 1976). Rap: Deschamps</i>
54	406/76	<i>Proposal from the Commission of the European Communities to the Council (Doc. 359/76) for a Regulation on the autonomous and special arrangements for beef and veal products originating in some signatory States of the ACP-EEC Convention of Lomé. Rap: Boothroyd</i>
55	407/76	<i>Communication from the Commission of the European Communities to the Council (Doc. 323/76) concerning a three-year indicative food aid programme (1977 to 1979). Rap: Nielsen</i>
56	445/76	<i>Proposal from the Commission of the European Communities to the Council (Doc. 367/76) for a Regulation establishing a European agency for trade cooperation with the developing countries. Rap: Sandri</i>
57	447/76	<i>Proposal from the Commission of the European Communities to the Council (Doc. 437/76) for a Regulation amending the list of the countries and territories in Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories. Rap: Flesch</i>
58	583/76	<i>Proposals from the Commission of the European Communities to the Council (Doc. 345/76, 493/76 and 580/76) for a Regulation on the advance application of certain provisions of the ACP-EEC Convention of Lomé relating to trade with respect to certain countries signatory to Agreement of accession to this Convention (Sao Tomé and Príncipe, the Cape Verde Islands and Papua New Guinea). Rap: Deschamps</i>
59	34/77	<i>Proposal from the Commission of the European Communities to the Council (Doc. 11/77) for a Regulation on financial and technical aid to non-associated developing countries. Rap: Nolan</i>
60	47/77	<i>Trade relations between the European Community and the countries of the African continent. Rap: Schuijt</i>
61	131/77	<i>Proposal from the Commission of the European Communities to the Council (Doc. 38/77) for a Regulation amending Regulations (EEC) No 1599/75 and (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories. Rap: Martinelli</i>
62	191/77	<i>Communication from the Commission of the European Communities to the Council (Doc. 125/77) concerning the 1977 skimmed-milk powder and butteroil food aid programmes. Rap: Broeks</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
63	302/77	<i>Proposals from the Commission of the European Communities to the Council (Doc. 245/77) concerning Regulations relating to the application for the year 1978 of the generalised tariff preferences of the European Community.</i> Rap: de Flesch
64	303/77	<i>Proposal from the Commission of the European Communities to the Council (Doc. 258/77) for a Regulation extending the period of validity of Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products, originating in the African, Caribbean and Pacific States.</i> Rap: Broeksz
65	461/77	<i>Communication from the Commission of the European Communities to the Council (Doc. 394/77) on the supply of food aid in the form of skimmed-milk powder and butteroil to India for the second phase of 'Operation Flood'.</i> Rap: Aigner
66	492/77	<i>Communication from the Commission of the European Communities to the Council (Doc. 383/77 and 399/77) concerning the 1978 programmes for food aid in cereals, skimmed-milk powder and butteroil and the nutritional and developmental perspectives for dairy products in the Third World.</i> Rap: Aigner
67	521/77	<i>Proposal from the Commission of the European Communities to the Council (Doc. 487/77) for a Regulation amending Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.</i> Rap: Nolan
68	539/77	<i>Communications from the Commission of the European Communities to the Council on: the operation during 1975 of the system set up by the Lomé Convention for stabilising export earnings (Stabex); the operation during 1975 of the system set up by the decision on the association of the OCTs with the EEC for stabilising export earnings; the reports from the Commission on the use of the funds transferred for 1975 under the export earnings stabilisation system set up by the Lomé Convention; and the first results of the export earnings stabilisation system for 1976.</i> Rap: Aigner
69	568/77	<i>Communication from the Commission of the European Communities to the Council (Doc. 556/77) on the accession of the Republic of Jibuti to the ACP-EEC Convention of Lomé and proposals for certain legal acts relating thereto.</i> Rap: Lezzi
70	320/78	<i>Communication from the Commission of the European Communities to the Council (Doc. 237/78) on the procedures for the management of food aid.</i> Rap: Lezzi

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
71	414/78	<i>Communication from the Commission of the European Communities to the Council (Doc. 237/78) on the procedures for the management of food aid.</i> Rap: Lezzi
72	474/78	<i>Proposals from the Commission of the European Communities to the Council (Doc. 388/78) concerning Regulations relating to the application for the year 1979 of the generalised tariff preferences of the European Community.</i> Rap: Reay
73	475/78	<i>Proposal from the Commission of the European Communities to the Council (Doc. 390/78) for a Regulation amending Regulation (EEC) No 950/68 on the Common Customs Tariff and Regulation (EEC) No 2710/77 establishing in respect of certain products falling within Chapters 1 to 24 of the Common Customs Tariff a scheme of generalised preferences in favour of developing countries.</i> Rap: Reay
74	486/78	<i>Communication from the Commission of the European Communities to the Council (Doc. 457/78) on the accession of the Solomon Islands, Tuvalu and Dominica to the ACP-EEC Convention of Lomé and proposals for certain legal acts relating thereto.</i> Rap: Croze
75	487/78	<i>Negotiations for the renewal of the Convention of Lomé.</i> Rap: Broeks
76	669/78	<i>Proposal from the Commission of the European Communities to the Council (Doc. 583/78) for I. a Regulation on the management of food aid; II. a Regulation amending Regulations (EEC) Nos 2052/69, 1703/72 and 2681/74 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid, and repealing Decision 72/335/EEC.</i> Rap: Lezzi
77	44/79	<i>Proposal from the Commission of the European Communities to the Council (Doc. 43/78) for a Regulation relating to the creating of a European Agency for Cooperation.</i> Rap: Sandri
78	70/79	<i>Form, status, context and application of the Code of Conduct for Community companies with subsidiaries, branches or representation in South Africa.</i> Rap: Lagorce
79	74/79	<i>Communication from the Commission of the European Communities to the Council concerning cooperation with the developing countries in the field of energy.</i> Rap: Flämig
80	111/79	<i>Communication from the Commission of the European Communities to the Council on development cooperation and the observance of certain international standards governing working conditions.</i> Rap: Nyborg
81	121/79	<i>Proposals from the Commission of the European Communities to the Council (Doc. 28/79) concerning food aid Regulations for 1979.</i> Rap: Broeks

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
1	1-466/79	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 206/79) for a Regulation approving the Agreement between the Government of the Republic of Senegal and the European Economic Community concerning fishing off the coast of Senegal and two exchanges of letters referring thereto. Rap: D. Enright</i>
2	1-469/79	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-206/79) for Regulations concerning the application of the generalised tariff preferences of the European Community for 1980. Rap: A. Pearce</i>
3	1-633/79	<i>Report on the proposals from the Commission of the European Communities to the Council (Doc. 1-574/79) for: I. a Regulation amending Regulation (EEC) No 939/79 laying down general rules for the supply of milk fats to certain developing countries and specialised bodies under the 1979 food aid programme; II. a Regulation amending Regulation (EEC) No 940/79 on the supply of milk fats to certain developing countries and specialised bodies under the 1979 food aid programme. Rap: V. Sable.</i>
4	1-638/79	<i>Resolution on the situation in Afghanistan. Rap: F. Warner</i>
5	1-673/79	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-658/79) for a Regulation on trade arrangements between Southern Rhodesia and the European Economic Community. Rap: M. Poniatowski</i>
6	1-732-79	<i>Report on the proposals from the Commission of the European Communities to the Council (Doc. 1-574/79) for: I. a Regulation on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories; II. a Regulation concerning the application of Decision No 1/80 of the ACP-EEC Committee of Ambassadors applying transitional measures until the entry into force of the Second Convention of Lomé. Rap: V. Sable.</i>
7	1-734/79	<i>Resolution on food aid to Cambodia and the South-East Asian refugees. Rap: K. Wawrzik</i>
8	1-754/79	<i>Report on the proposals from the Commission of the European Communities to the Council (Doc. 1-702/79) for: I. a Decision concluding the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) on aid to refugees in the countries of the Near East; II. a Regulation on the supply of sugar to UNRWA as food aid. Rap: D. Enright.</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
9	1-835/79	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-830/79) for a Regulation approving the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community concerning fishing off the coast of Guinea Bissau and two exchanges of letters relating thereto. Rap: D. Enright</i>
10	1-105/80	<i>Report on the proposals from the Commission of the European Communities to the Council (Doc. 1-5/80) for Regulations concerning food aid in 1980. Rap: V. Michel</i>
11	1-149/80	<i>Report on the situation in the Central African State. Rap: J. Jaquet</i>
12	1-289/80	<i>Report on the dramatic situation of the refugees, especially the children amongst them, in the Horn of Africa. Rap: J. Marshall</i>
13	1-341/80	<i>Report on the European Community's contribution to the campaign to eliminate hunger in the world. Rap: B. Ferrero</i>
14	1-455/80	<i>Report on the communication from the Commission of the European Communities to the Council (Doc. 1-67/80) concerning the guidelines for the EC's scheme of generalised tariff preferences for the period after 1980. Rap: A. Pearce</i>
15	1-522/80	<i>Report on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly. Rap: V. Sable</i>
16	1-545/80	<i>Report on the proposals from the Commission of the European Communities to the Council (Doc. 1-429/80) for Regulations fixing the Community's five-year scheme of generalised tariff preferences for the period 1981 to 1985 and opening the scheme applicable in 1981. Rap: A. Pearce</i>
17	1-551/80	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-364/80) for a Regulation laying down general rules for the supply as food aid of products other than cereals, skimmed-milk powder or butteroil to certain developing countries and specialised bodies. Rap: R Rabbethge</i>
18	1-559/80	<i>Report on: I. a recommendation from the Commission of the European Communities to the Council for a Regulation on the conclusion of the second ACP-EEC Convention of Lomé; II. a proposal from the Commission of the European Communities to the Council for a Decision on the association of the overseas countries and territories with the European Economic Community. Rap: K. Wawrzik</i>
19	1-698/80	<i>Report on: I. the communications from the Commission of the European Communities to the Council concerning the operation of Stabex in 1977 and 1978; II. the special report by the Court of Auditors on the operation of Stabex; III. the Commission's comments on the special report by the Court of Auditors on the operation of Stabex. Rap: L. Castellina</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
20	1-834/80	<i>Report on the recommendation from the Commission of the European Communities to the Council for a Regulation concerning the conclusion of the Agreement on the accession of the Republic of Zimbabwe to the second ACP-EEC Convention of Lomé and on the recommendation from the Commission of the European Communities to the Council for a Regulation concluding the Interim Agreement between the European Economic Community and the Republic of Zimbabwe. Rap: M. Poniatowski</i>
21	1-942/80	<i>Report on the assessment of Community development policies and the role of the European Parliament. Rap: V. Michel</i>
22	1-178/81	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-963/80) for Regulations concerning food aid in 1981. Rap: F. Warner</i>
23	1-330/81	<i>Report on the communication from the Commission of the European Communities to the Council (Doc. 1-67/80) on the UN Conference on the least developed countries (Paris, 1-14 September 1981). Rap: R. Cohen.</i>
24	1-541/81	<i>Report on the International Code of Marketing of Breastmilk Substitutes adopted by the World Health Assembly. Rap: L. Castellina</i>
25	1-639/81	<i>Report on the results of a visit by a delegation from the European Parliament to Cambodia. Rap: R. Cohen</i>
26	1-641/81	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-450/81) for Regulations fixing the Community's scheme of generalised tariff preferences for the period 1982 to 1985 and opening the scheme applicable in 1982. Rap: R. Cohen</i>
27	1-708/81	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-676/81) for a Regulation concerning an exceptional food aid for the least developed countries. Rap: R. Cohen</i>
28	1-817/81	<i>Second Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-676/81) for a Regulation concerning an exceptional food aid for the least developed countries. Rap: R. Cohen</i>
29	1-819/81	<i>Report on the proposal from the Commission of the European Communities to the Council on the general guidelines for the 1982 programme of financial and technical cooperation with the non-associated developing countries and on Community financial and technical aid to non-associated developing countries (Doc. 1-818/81) and on Community financial and technical aid to non-associated developing countries. Rap: D. Enright</i>
30	1-823/81	<i>Report on the results of the UN Conference on the least developed countries (Paris, 1 to 14 September 1981). Rap: R. Cohen</i>
31	1-824/81	<i>Report on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly in 1981. Rap: J.-J. Clement</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
32	1-34/82	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-1045/81 for Regulations concerning food aid in 1982. Rap: P. Lezzi</i>
33	1-79/82	<i>Report on economic aid for Egypt. Rap: M. Poniatowski</i>
34	1-96/82	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-1054/81-COM(82) 14 final) for a Decision on the conclusion of the Agreement between the European Economic Community and the Government of the Republic of Senegal amending the Agreement on fishing off the coast of Senegal signed on 15 June 1979, the Protocol and the exchanges of letters referring thereto (development aspects). Rap: J. de Courcy Ling</i>
35	1-202/82	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-271/81-COM(81) 212 final) for a Decision adopting a programme of research and development in the field of science and technology for development (1982-1985). Rap: RC Rabbethge</i>
36	1-281/82 corr.	<i>Report on measures following the European Parliament's debate on world hunger (COM(81) 560 final), the communication from the Commission to the Council concerning a plan of action to combat world hunger and the motions for resolutions tabled on this subject, pursuant to Rule 47 of the Rules of Procedure (Doc. 1-1039/81 and 1-1105/81). Rap: V. Michel</i>
37	1-662/82	<i>Report on the proposals from the Commission of the European Communities to the Council (Doc.1-574/82 COM(82) 468 final) on Regulations fixing the Community's scheme of generalised tariff preferences for the period 1983 to 1985 and opening the scheme applicable in 1983. Rap: R. Wedekind</i>
38	1-784/82	<i>Report on the communication from the Commission of the European Communities to the Council concerning special action in favour of the economic and social development of Central America (COM(82) 257 final) and the proposal from the Commission of the European Communities to the Council (Doc. 1-559/82- COM(82) 481 final) for a decision completing the general guidelines for 1982 concerning financial and technical aid to non-associated developing countries. Rap: V. Michel</i>
39	1-961/82	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-756/82 - COM(82) 599 final) concerning the conclusion of the Agreement between the Government of the Revolutionary People's Republic of Guinea and the European Economic Community on fishing off the Guinean coast (development). Rap: D. Enright</i>
40	1-962/82	<i>Report on the international code of marketing of breastmilk substitutes. Rap: L. Castellina</i>
41	1-963/82	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-765/82 - COM(82) 614 final) for a Decision determining the general guidelines for 1983 concerning financial and technical aid to non-associated developing countries. Rap: T. Caretoni Romagnoli</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
42	1-975/82	<i>Report on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly.</i> Rap: M. Cassanmagnago Ceretti
43	1-1270/82	<i>Report on the granting of emergency aid to Vietnam.</i> Rap: X. Deniau
44	1-114/83	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-1302/82 - COM(83) 16 final) for a Regulation on the implementation of the special programme to combat hunger in the world.</i> Rap: M. Cassanmagnago Ceretti
45	1-255/83	<i>Report on the Sixth United Nations Conference on Trade and Development (UNCTAD) (Belgrade, 6 June to 1 July 1983)</i> Rap: R. Cohen
46	1-453/83	<i>Report on cultural cooperation between the ACP States and the EEC.</i> Rap: A Narducci
47	1-456/83	<i>Report on the medium and long-term problems of the Community's sugar policy in relation to the ACP-EEC Sugar Protocol of 30 September 1981.</i> Rap: V. Sable
48	1-475/83	<i>Report on the European Community's policy towards developing countries (the memorandum of the Commission of the European Communities on the European Community's development policy).</i> Rap: C. Jackson
49	1-605/83 I	<i>Report on the context of the future ACP-EEC Convention to follow Lomé II.</i> Rap: U. Irmer
50	1-929/83	<i>Report on assistance to refugees in developing countries.</i> Rap: R. Dury
51	1-933/83	<i>Report on the International Development Association (IDA).</i> Rap: T. Caretoni Romagnoli
52	1-1005/83	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-820/82 - COM(83) 534 final) for a Decision determining the general guidelines for 1984 concerning financial and technical aid to non-associated developing countries.</i> Rap: C. Jackson
53	1-1006/83	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-603/82 - COM(83) 354 final) for a Decision on the adoption of a programme of assistance for the development of indigenous scientific and technical research capacities in the developing countries (1984-1987).</i> Rap: RC Rabbethge
54	1-1007/83	<i>Report on the proposals from the Commission of the European Communities to the Council (Doc. 1-635/83 COM(83) 441 final) for Regulations fixing the Community's generalised tariff preferences scheme for 1984.</i> Rap: G. Fuchs
55	1-1141/83	<i>Second Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-603/82 - COM(83) 354 final) for a Decision on the adoption of a programme of assistance for the development of indigenous scientific and technical research capacities in the developing countries (1984-1987)</i> Rap: RC Rabbethge

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
56	1-1143/83	<i>Report on the outcome of the work of the ACP-EEC Joint Committee and Consultative Assembly. Rap: G. Israel</i>
57	1-1147/83	<i>Report on the conclusions to be drawn from the Sixth United Nations Conference on Trade and Development (Belgrade, 6 June to 3 July 1983). Rap: R. Cohen</i>
58	1-1344/83	<i>Report on the granting of humanitarian aid to Vietnam. Rap: Couste</i>
59	1-67/84	<i>Report on the EEC's relations with Namibia [in two separate documents: A - motion for a resolution; B - explanatory statement]. Rap: D. Enright</i>
60	1-81/84	<i>Report on the financing of training projects for women submitted by the ANC and SWAPO. Rap: L. Castellina</i>
61	1-116/84	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-1235/83 - COM(83) 695 final) for a Regulation on the implementation in relation to food of alternative operations in place of food aid. Rap: K. Focke</i>
62	1-119/84	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-1453/83 - COM(84) 26 final) for a Regulation laying down implementing rules for Regulation (EEC) No 2750/75 on food aid policy and food aid management. Rap: P. Lezzi</i>
63	1-120/84	<i>Report on the problem of urbanisation in the Third World and the consequent growth of shanty towns [in two separate documents: A - motion for a resolution; B - explanatory statement]. Rap: K. de Gucht</i>
64	1-211/84	<i>Report on the firewood crisis in the Sahel region of Africa and the serious implications for the Third World. Rap: T. Caretoni Romagnoli</i>
65	1-212/84	<i>Report on the consequences of drought in Southern Africa. Rap: A. Pearce</i>
66	1-217/84	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 1-171/84 - COM(83) 719 final) for a Regulation amending Regulation (EEC) No 435/80 to include strawberries falling within Common Customs Tariff subheading 08.08 A II and originating in the African, Caribbean and Pacific States or in the overseas countries and territories. Rap: J. de Courcy Ling.</i>
67	1-218/84	<i>Report on the proposal from the Commission of the European Communities to the Council (COM(84) 113 final - Doc. 1-133/84) for a Decision on the conclusion of the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East. Rap: R. Dury</i>

**REPORTS OF THE COMMITTEE ON DEVELOPMENT AND COOPERATION
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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
1	949/84	<i>Proposal from the Commission of the European Communities to the Council (Doc. 2-444/84 - COM(84) 378 final) for Regulations fixing the Community's generalised tariff preferences scheme for 1985. Rap: Courcy Ling</i>
2	1104/84	<i>Results on the achievements of the ACP-EEC Joint Committee and Consultative Assembly. Rap: Wurtz</i>
3	1334/84	<i>Proposal from the Commission of the European Communities to the Council (Doc. 2-801/84 - COM(84) 526 final) for a Decision determining the general guidelines for 1985 concerning financial and technical aid to non-associated developing countries. Rap: Germeur</i>
4	1338/84	<i>Management and implementation of food aid under the provisional twelfths system. Rap: Galland</i>
5	1708/84	<i>Report on the proposal from the Commission of the European Communities to the Council (Doc. 2-628/84 - COM(84) 481 final) for a Regulation laying down implementing rules for Regulation (EEC) No 3331/82 on food and policy and food aid management. Rap: Galland</i>
6	1781/84	<i>Conclusion of the Third Lomé Convention. Rap: Cohen</i>
7	27/85	<i>Cooperation Agreements with the developing countries of the Mediterranean region in the context of a global Mediterranean policy of the Community. Rap: Cassanmagnago Ceretti</i>
8	44/85	<i>Relations between the European Community and Latin America – development aspects (interim report). Rap: McGowan</i>
9	73/85	<i>Instituting a Solidarity with Third World Children Week. Rap: Pantazi</i>
10	92/85	<i>Importance of the Delegations of the Commission of the European Communities in the ACP countries and the Maghreb and Mashreq countries and the status of the overseas staff of the EAC. Rap: Daly</i>
11	125/85	<i>(I) Communication from the Commission of the European Communities to the Council (COM(85) 203 fin. - Doc. C 2-41/85) on the review of the European Community's generalised tariff preferences scheme (II) Proposal from the Commission of the European Communities to the Council (Doc. 2-444/84 - COM(84) 378 final) fixing the Community's generalised tariff preferences scheme for 1986. Rap: Heinrich</i>
12	127/85	<i>Report on the proposal from the Commission of the European Communities to the Council (COM(84) 703 fin. - Doc. 2-1530/84) for a Directive on the approximation of the laws of the Member States relating to infant formulae and follow-up milks. Rap: Castellina</i>
13	192/85	<i>Results of the work of the Joint Committee and the ACP-EEC Joint Assembly in 1985. Rap: Wawrzik</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
14	197/85	<i>EEC Code of Conduct for Community companies with subsidiaries, branches or representation in South Africa. Rap: De Baker van Ocken</i>
15	201/85	<i>Proposal from the Commission of the European Communities to the Council (COM(85) 482 final - Doc. 2-96/85 for a Council Regulation (EEC) laying down implementing rules for Regulation (EEC) No 3331/82 on food aid policy and food aid management and an amended proposal for a Regulation laying down implementing rules for Regulation (EEC) No 3331/82 on food aid policy. Rap: Gueurmeur</i>
16	222/85	<i>Proposal from the Commission of the European Communities to the Council (Doc. 2-2120/85 - COM(85) 559 final) for a Decision determining the general guidelines for 1986 concerning financial and technical aid to non-associated developing countries. Rap: Pery</i>
17	20/86	<i>Proposal from the Commission of the European Communities to the Council (COM(84) 703 fin. - Doc. 2-1530/84) for a Directive on the approximation of the laws of the Member States relating to infant formulae and follow-up milks. Rap: Castellina</i>
18	21/86	<i>Communication from the Commission of the European Communities to the Council (Doc. C 2-98/85 - COM(85) 517 final) on the Community and the Mediterranean countries: Guidelines for economic cooperation. Rap: Trivelli</i>
19	24/86	<i>Disturbance of the ecological balance in Botswana. Rap: Galland</i>
20	39/86	<i>Situation of women in the development process after the Nairobi Conference. Rap: Rabbetghe</i>
21	57/86	<i>Recruitment of stagiaires for employment in EEC delegations to developing countries. Rap: Daly</i>
22	122/86	<i>Aid to refugees and displaced persons in developing countries. Rap: Verbeek</i>
23	140/86	<i>Proposal from the Commission of the European Communities to the Council (COM(86) 418 final - Doc. 2-80/86) for a Regulation on food aid policy and food aid management. Rap: Campinos</i>
24	154/86	<i>Proposal from the Commission of the European Communities to the Council (COM(86) 306 final - Doc. C 2-52/86) for a Regulation on the apportionment of the quantities of cereals provided for under the Food Aid Convention for the period 1 July 1986 to 30 June 1989. Rap: Medeiros Ferreira</i>
25	156/86	<i>Proposal from the Commission of the European Communities to the Council (COM(86) 317 final - Doc. C 2-53/86) for a Regulation setting up a system of compensation for loss of export earnings for least developed countries not signatory to the Lomé Convention. Rap: Saby</i>
26	185/86	<i>Cooperation between the European Community and non-governmental organisations in development cooperation. Rap: Ulburghs</i>
27	192/86	<i>Desertification. Rap: Chinau</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
28	193/86	<i>Fight against hunger. Rap: Medeiros Ferreira</i>
29	201/86	<i>Problem of indebtedness in the developing countries. Rap: Vergeer</i>
30	202/86	<i>Development and disarmament. Rap: Trivelli</i>
31	203/86	<i>North-South cooperation. Rap: Fokke</i>
32	204/86	<i>Fishing agreements with developing countries. Rap: Guermeur</i>
33	205/86	<i>Community's relations with developing countries with regard to trade and raw materials. Rap: Cohen</i>
34	206/86	<i>Outcome of the Joint Assembly proceedings. Rap: Condesso</i>
35	212/86	<i>Coordination of development aid. Rap: Jackson</i>
36	247/86	<i>Proposal from the Commission of the European Communities to the Council (Doc. C 2-142/86 - COM(86) 568 final) for a Decision determining the general guidelines for 1987 concerning financial and technical aid to Latin American and Asian developing countries. Rap: Simpson</i>
37	44/87	<i>Proposal from the Commission of the European Communities to the Council (Doc. C 2-156/86 - COM(86) 550 final) for a Regulation relating to a research and development programme in the field of science and technology for development (1987-1990). Rap: Pantazi</i>
38	47/87	<i>Proposal from the Commission of the European Communities to the Council (COM(87) 18 final - Doc. C2-214/86) for a Decision on the conclusion of the Convention between the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East. Rap: Cinciari Rodano</i>
39	75/87	<i>Seventh Session of the United Nations Conference on Trade and Development (UNCTAD) (Geneva, 9 to 31 July 1987) (COM(87) 37 final and COM(87) 37 final/2). Rap: Cohen</i>
40	80/87	<i>Political, economic and social situation in and the conditions for European Community aid to Bangladesh. Rap: Balfe</i>
41	104/87	<i>Protocol to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia consequent on the accession to the Community of the Kingdom of Spain and the Portuguese Republic and on the Recommendation from the Commission of the European Communities to the Council (COM(87) 99 final - Doc. C2-59/87) for a Council Decision concerning the conclusion of this Protocol. Rap: Patterson</i>
42	136/87	<i>Protocol to the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria consequent on the accession to the Community of the Kingdom of Spain and the Portuguese Republic and on the Recommendation from the Commission of the European Communities to the Council (COM(87) 172 final - Doc. C2-59/87) for a Council Decision concerning the conclusion of this Protocol. Rap: Patterson</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
43	137/87	<i>Additional Protocol to the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria and on the Recommendation from the Commission of the European Communities to the Council (COM(87) 123 final – Doc. C2-59/87) for a Council Decision concerning the conclusion of this Additional Protocol. Rap: Patterson</i>
44	138/87	<i>Protocol to the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt consequent on the accession to the Community of the Kingdom of Spain and the Portuguese Republic and on the Recommendation from the Commission of the European Communities to the Council (COM(87) 99 final – Doc. C2-59/87) for a Council Decision concerning the conclusion of this Protocol. Rap: Patterson</i>
45	139/87	<i>Additional Protocol to the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt and on the Recommendation from the Commission of the European Communities to the Council (COM(87) 99 final – Doc. C2-59/87) for a Council Decision concerning the conclusion of this Additional Protocol. Rap: Patterson</i>
46	140/87	<i>Protocol to the Cooperation Agreement between the European Economic Community and the Hashemite Kingdom of Jordan consequent on the accession to the Community of the Kingdom of Spain and the Portuguese Republic and on the Recommendation from the Commission of the European Communities to the Council (COM(87) 99 final – Doc. C2-59/87) for a Council Decision concerning the conclusion of this Protocol. Rap: Patterson</i>
47	141/87	<i>Additional Protocol to the Cooperation Agreement between the European Economic Community and the Hashemite Kingdom of Jordan and on the Recommendation from the Commission of the European Communities to the Council (COM(87) 99 final – Doc. C2-59/87) for a Council Decision concerning the conclusion of this Additional Protocol. Rap: Patterson</i>
48	142/87	<i>Protocol to the Cooperation Agreement between the European Economic Community and the Lebanese Republic consequent on the accession to the Community of the Kingdom of Spain and the Portuguese Republic and on the Recommendation from the Commission of the European Communities to the Council (COM(87) 123 final – Doc. C2-59/87) for a Council Decision concerning the conclusion of this Protocol. Rap: Patterson</i>
49	143/87	<i>Additional Protocol to the Cooperation Agreement between the European Economic Community and the Lebanese Republic consequent on the accession to the Community of the Kingdom of Spain and the Portuguese Republic and on the Recommendation from the Commission of the European Communities to the Council (COM(87) 7 final – Doc. C2-59/87) for a Council Decision concerning the conclusion of this Additional Protocol. Rap: Patterson</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
50	144/87	<i>Additional Protocol to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia and on the Recommendation from the Commission of the European Communities to the Council (COM(87) 7 final – Doc. C2-59/87) for a Council Decision concerning the conclusion of this Additional Protocol. Rap: Patterson</i>
51	170/87	<i>Proposals from the Commission of the European Communities to the Council (Doc. 2-105/87 - COM(87) 227 final) fixing the Community's generalised tariff preferences scheme for 1988. Rap: Ulburghs</i>
52	179/87	<i>Seventh Session of UNCTAD, Geneva, 9 July to 3 August 1987. Rap: Cohen</i>
53	196/87	<i>Common Position of the Council on the proposal for a Decision relating to a research and development programme in the field of science and technology for development (1987-1991) (Doc. C2-174/87). Rap: Pantazi</i>
54	210/87	<i>Conclusion of a Protocol on financial and technical cooperation between the European Economic Community and the Republic of Tunisia (Recommendation from the EC Commission for a Council Decision) (COM(87) 355 final - Doc. C2/203/87). Rap: Patterson</i>
55	211/87	<i>Conclusion of a Protocol on financial and technical cooperation between the European Economic Community and the Arab Republic of Egypt (Recommendation from the EC Commission for a Council Decision) (COM(87) 355 final - Doc. C2/203/87). Rap: Patterson</i>
56	212/87	<i>Conclusion of a Protocol on financial and technical cooperation between the European Economic Community and the People's Democratic Republic of Algeria (Recommendation from the EC Commission for a Council Decision) (COM(87) 355 final - Doc. C2/203/87). Rap: Patterson</i>
57	213/87	<i>Conclusion of a Protocol on financial and technical cooperation between the European Economic Community and the Hashemite Kingdom of Jordan (Recommendation from the EC Commission for a Council Decision) (COM(87) 355 final - Doc. C2/203/87). Rap: Patterson</i>
58	221/87	<i>Proposal from the Commission of the European Communities to the Council (COM(87) 492 final - Doc. C 2-208/87) for a Regulation amending Regulation (EEC) No 3972/86 on food aid policy and food aid management. Rap: Turner</i>
59	222/87	<i>Communication from the Commission of the European Communities to the Council for a Decision on the allocation of 60 million ECU for the implementation of a special programme to aid certain highly indebted, low-income African countries. Rap: Nordmann</i>
60	224/87	<i>Results of the work of the ACP-EEC Joint Assembly. Rap: Cassanmagnago Ceretti</i>

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NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
61	242/87	<i>Conclusion of a Protocol on financial and technical cooperation between the European Economic Community and the Lebanese Republic (Recommendation from the EC Commission for a Council Decision) (Doc. C2/238/87). Rap: Patterson</i>
62	247/87	<i>EEC-India cooperation, particularly as regards Operation Flood. Rap: Telkämper</i>
63	277/87	<i>Proposal from the Commission of the European Communities to the Council (COM(87)531 final- Doc. C2-277/87) for a Decision determining the general guidelines for 1988 concerning financial and technical aid to Latin American and Asian developing countries. Rap: Daly.</i>
64	49/88	<i>Fourth ACP-EEC Convention. Rap: Bersani</i>
65	54/88	<i>Involvement of the aged in the Third World development process. Rap: Simpson</i>
66	94/88	<i>Conclusion of a Protocol on financial and technical cooperation between the European Economic Community and the Kingdom of Morocco (Recommendation from the EC Commission for a Council Decision) (COM(88) 168 final - Doc. C2/67/88). Rap: Patterson</i>
67	95/88	<i>Protocol to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco consequent on the accession to the Community of the Kingdom of Spain and the Portuguese Republic (Recommendation from the EC Commission for a Council Decision) (COM(88) 168 final – Doc. C2-67/88). Rap: Patterson</i>
68	96/88	<i>Additional Protocol to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco consequent on the accession to the Community of the Kingdom of Spain and the Portuguese Republic (Recommendation from the EC Commission for a Council Decision) (COM(88) 168 final – Doc. C2-67/88). Rap: Patterson</i>
69	97/88	<i>Protocol to the Cooperation Agreement between the European Economic Community and the Syrian Arab Republic consequent on the accession to the Community of the Kingdom of Spain and the Portuguese Republic (Recommendation from the EC Commission for a Council Decision) (COM(88) 104 final – Doc. C2-82/88). Rap: Patterson</i>
70	98/88	<i>Additional Protocol to the Cooperation Agreement between the European Economic Community and the Syrian Arab Republic consequent on the accession to the Community of the Kingdom of Spain and the Portuguese Republic (Recommendation from the EC Commission for a Council Decision) (COM(88) 104 final – Doc. C2-82/88). Rap: Patterson</i>
71	148/88	<i>Proposal for a Council Regulation (EEC) on the implementation of cofinancing operations for the purchase of food products or seeds by international bodies or non-governmental organisations (COM(88) 158 final – Doc. C2-35/88). Rap: McGowan</i>

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72	149/88	<i>Proposal from the Commission of the European Communities to the Council (COM(88) 119 final - Doc. C2-31/88) for a Regulation on the implementation of storage programmes and warning systems. Rap: Turner</i>
73	200/88	<i>Combating and preventing blindness in the Third World. Rap: Vergeer</i>
74	205/88	<i>Cooperatives and the cooperative movement in development policy. Rap: Trivelli</i>
75	222/88	<i>The European Community's cooperation with the developing countries of Asia and Latin America. Rap: Daly</i>
76	262/88	<i>Proposals from the Commission of the European Communities to the Council (Doc. 2-108/88 - COM(88) 352 final) for a Regulation applying generalised tariff preferences for 1989. Rap: Garcia Arias</i>
77	276/88	<i>Proposal from the Commission of the European Communities to the Council (COM(88) 397 final- Doc. C2-123/88) for a Decision determining general guidelines for 1989 for financial and technical assistance to Latin American and Asian developing countries. Rap: Crusol.</i>
78	281/88	<i>Results of the work of the ACP-EEC Joint Assembly in 1988 in Lomé (Togo) and Madrid. Rap: Rabbethge</i>
79	353/88	<i>Freedom of circulation in the front-line countries. Rap: Gutierrez Diaz</i>
80	355/88	<i>Evaluation of development programmes and projects and the application of their results (feedback). Rap: Ulburghs</i>
81	359/88	<i>Common agricultural policy and the developing countries. Rap: Focke</i>
82	9/89	<i>Increased cooperation with Suriname. Rap: Vergeer</i>
83	36/89	<i>Proposal from the Commission of the European Communities to the Council (COM(88) 431 final- Doc. C2-143/88) for a Regulation establishing a financing facility for imports of food products by developing countries from the European Community. Rap: Guermeur</i>
84	58/89	<i>Proposal from the Commission of the European Communities to the Council (COM(88) 431 final- Doc. C2-143/88) for a Directive establishing the terms and conditions of officially supported export credits for agricultural products. Rap: Guermeur</i>

REPORTS OF THE COMMITTEE ON DEVELOPMENT AND COOPERATION (1989-1994)

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
1	17/89	<i>Application of generalised tariff preferences for 1990 to certain industrial products originating in developing countries. Rap: De Donnea</i>
2	18/89	<i>Application of generalised tariff preferences for 1990 to textile products originating in developing countries. Rap: De Donnea</i>
3	19/89	<i>Application of generalised tariff preferences for 1990 to agricultural products originating in developing countries. Rap: De Donnea</i>
4	107/89	<i>Results of the work of the ACP-EEC Joint Assembly in 1989 in Bridgetown (Barbados) and Versailles (France). Rap: Napoletano</i>
5	112/89	<i>General guidelines for 1990 for financial and technical assistance to Latin American and Asian developing countries. Rap: van Putten</i>
6	11/90	<i>General guidelines for 1990 for financial and technical assistance to Latin American and Asian developing countries. Rap: van Putten (second report)</i>
7	33/90	<i>Application of transitional measures until the entry into force of the Fourth Lomé Convention. Rap: Tindemans</i>
8	58/90	<i>Conclusion of the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East. Rap: Aulas</i>
9	90/90	<i>Conclusion of a Fourth ACP-EEC Convention. Rap: Tindemans</i>
10	149/90	<i>Implementation of storage programmes and early warning systems, and cofinancing operations for the purchase of food products. Rap: Wynn</i>
11	151/90	<i>General guidelines for 1990 for financial and technical assistance to Latin American and Asian developing countries. Rap: van Putten (third report)</i>
12	214/90	<i>Apportionment of the cereals provided for under the Food Aid Convention for the period 1 July 1986 to 30 June 1989. Rap: Saby</i>
13	225/90	<i>Extension to Bolivia, Colombia and Peru of the generalised tariff preferences applied to certain products originating in the least developed countries. Rap: De Donnea</i>
14	231/90	<i>Conservation of tropical forests. Rap: Santos</i>
15	258/90	<i>Right of nations to information concerning their history and the return of national archives. Rap: Lehideux</i>
16	335/90	<i>Generalised system of preferences – Guidelines for the 1990s (COM(90) 329 final, C3-0239/90.) Rap: Christiansen</i>
17	363/90	<i>Application of generalised tariff preferences for 1991 in respect of certain industrial products originating in developing countries. Rap: Christiansen</i>

1. LIST OF DOCUMENTS OF THE DEVELOPMENT COMMITTEES BY PARLIAMENTARY TERM

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
18	375/90	<i>Results of the work of the ACP-EEC Joint Assembly in 1990 in Port Moresby (Papua New Guinea) and Luxembourg.</i> Rap: Schmidbauer
19	159/91	<i>Association of the overseas countries and territories with the European Economic Community.</i> Rap: Saby
20	170/91	<i>'EC-International Investment Partners' financial facility for countries of Asia, Latin America and the Mediterranean region.</i> Rap: Jackson
21	218/91	<i>Cooperation with the developing countries in Asia and Latin America.</i> Rap: Ruiz-Gimenez Aguilar
22	228/91	<i>Coffee consumption as a means of active support for small Third World coffee producers.</i> Rap: van Puten
23	273/91	<i>Financial and technical cooperation between the European Economic Community and the Syrian Arab Republic.</i> Rap: Pons Grau
24	274/91	<i>Financial cooperation in respect of all the Mediterranean non-member countries.</i> Rap: Arbeloa Muru
25	305/91	<i>Export earnings stabilisation system for least developed countries in Asia and Latin America (ALA).</i> Rap: Telkämper
26	306/91	<i>System of generalised tariff preferences for products originating in Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama.</i> Rap: Christiansen
27	345/91	<i>European Community policy on aid to refugees and displaced persons in developing countries.</i> Rap: Aulas
28	350/91	<i>Financial and technical cooperation between the European Economic Community and the Democratic and Popular Republic of Algeria.</i> Rap: Van Hemeldonk
29	351/91	<i>Financial and technical cooperation between the European Economic Community and the Kingdom of Morocco.</i> Rap: Van Hemeldonk
30	352/91	<i>Financial and technical cooperation between the European Economic Community and the Tunisian Republic.</i> Rap: Van Hemeldonk
31	353/91	<i>Financial and technical cooperation between the European Economic Community and the Arab Republic of Egypt.</i> Rap: Bindi
32	354/91	<i>Financial and technical cooperation between the European Economic Community and the Hashemite Kingdom of Jordan.</i> Rap: Bindi
33	355/91	<i>Financial and technical cooperation between the European Economic Community and the Lebanese Republic.</i> Rap: Bindi
34	356/91	<i>Financial and technical cooperation between the European Economic Community and the Syrian Arab Republic.</i> Rap: Bindi
35	392/91	<i>Changes in East-West relations and the North-South relationship: role of the Community and the Twelve.</i> Rap: Bindi

THE DEVELOPMENT COMMITTEES

Reports and resolutions of the various committees responsible for development cooperation from 1958 to 1999

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
36	393/91	<i>Repercussions of the completion of the single market of 1992 for migrant workers from developing countries.</i> Rap: Mendes Bota
37	15/92	<i>Results of the work of the ACP-EEC Joint Assembly in Kampala (Uganda) and Amsterdam (the Netherlands) in 1991.</i> Rap: Andrews
38	21/92	<i>Financial impact of completion of the single market on the developing countries.</i> Rap: Daly
39	23/92	<i>Community's environmental policy in relation to the developing countries.</i> Rap: Verhagen
40	25/92	<i>Ways to achieve food security.</i> Rap: Wynn
41	28/92	<i>Indebtedness of developing countries.</i> Rap: Laroni
42	29/92	<i>Role of the non-governmental organisations in development cooperation.</i> Rap: Vecchi
43	40/92	<i>Commercial impact of the single market on the developing countries.</i> Rap: Pons Grau
44	59/92	<i>Structural adjustment in the developing countries.</i> Rap: Melandri
45	146/92	<i>Situation of women and children in the developing countries.</i> Rap: Valent
46	149/92	<i>New global partnership.</i> Rap: Saby
47	308/92	<i>Afghan refugees.</i> Rap: Saby
48	395/92	<i>Application of generalised tariff preferences for 1991 in respect of certain products originating in developing countries.</i> Rap: Braun-Moser
49	49/93	<i>Regulation establishing a special system of assistance to traditional ACP suppliers of bananas.</i> Rap: Daly
50	62/93	<i>Outcome of the meetings of the ACP-EEC Joint Assembly in 1992 in Santo Domingo (Dominican Republic) and Luxembourg.</i> Rap: Bota
51	158/93	<i>Relations between the European Community and the Maghreb.</i> Rap: Cassanmagnago Ceretti
52	222/93	<i>Human rights, democracy and development.</i> Rap: Musso
53	249/93	<i>Development cooperation policy in the run-up to 2000.</i> Rap: Simons
54	265/93	<i>Participation of the European Community in the International Programme for the reintegration of Vietnamese returnees.</i> Rap: Sandbaek
55	293/93	<i>Increased coordination of the development aid provided by the Member States and the Community.</i> Rap: Pery
56	304/93	<i>Operations to promote tropical forests.</i> Rap: van Putten
57	327/93	<i>Implementation in the Member States of the Council Recommendation of 13 June 1985 on social protection for volunteer development workers.</i> Rap: Belo

1. LIST OF DOCUMENTS OF THE DEVELOPMENT COMMITTEES BY PARLIAMENTARY TERM

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
58	329/93	<i>Special rehabilitation support programme in developing countries.</i> Rap: Kostopoulos
59	348/93	<i>Situation in Somalia.</i> Rap: Vecchi
60	370/93	<i>Convention between the European Economic Community and UNRWA concerning aid to refugees in the countries of the Near East.</i> Rap: Braun-Moser
61	373/93	<i>Promoting fairness and solidarity in North-South trade.</i> Rap: Langer
62	377/93	<i>Development prospects in South Africa and southern Africa.</i> Rap: Braun-Moser
63	381/93	<i>Financial and technical cooperation between the European Economic Community and the Syrian Arab Republic.</i> Rap: Cassanmagnago Ceretti
64	38/94	<i>Results of the deliberations of the ACP-EEC Joint Assembly in 1993.</i> Rap: Cassanmagnago Ceretti
65	49/94	<i>Refugees in Africa.</i> Rap: Pons Grau
66	52/94	<i>Demographic situation and development.</i> Rap: Nordmann
67	62/94	<i>Financial and technical cooperation with the Occupied Territories – Financial cooperation in respect of all the Mediterranean non-member countries.</i> Rap: Braun-Moser
68	194/94	<i>Amendment of the cooperation agreement between the European Economic Community and the Yemen Arab Republic.</i> Rap: Kostopoulos
69	195/94	<i>Democratisation process in the countries of West Africa.</i> Rap: Kellett-Bowman
70	196/94	<i>Results of the UNCED Conference – Development aspects.</i> Rap: Ewing
71	199/94	<i>Financial and technical cooperation with the Occupied Territories – Financial cooperation in respect of all the Mediterranean non-member countries.</i> Rap: Braun-Moser (recommendation for second reading)
72	218/94	<i>Cooperation with the developing countries in Asia and Latin America (ALA).</i> Rap: Miranda de Lage
73	320/94	<i>Setting up a Mediterranean Assembly – Community policy in the Mediterranean region.</i> Rap: Arbeloa Muru
74	324/94	<i>Situation of the elderly in developing countries.</i> Rap: Andrews

**REPORTS OF THE COMMITTEE DEVELOPMENT AND COOPERATION
(1994-1999)**

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
1	5/94	<i>Special system of assistance to traditional ACP suppliers of bananas (C4-0029/94) (second reading). Rap: Castagnède</i>
2	36/94	<i>'EC Investment Partners' financial facility for the countries of Latin America, Asia, the Mediterranean region and South Africa. Rap: Jackson</i>
3	37/94	<i>Employment creation and support to small and micro-enterprises in the Maghreb countries. Rap: Palacio Vallelersundi</i>
4	38/94	<i>Integration of developing countries in the international trading system – role of the GSP 1995 to 2004. Rap: Maij Weggen</i>
5	71/94	<i>Application of generalised tariff preferences in respect of certain industrial products originating in developing countries. Rap: Maij Weggen</i>
6	72/94	<i>Application of generalised tariff preferences in respect of certain agricultural products originating in developing countries. Rap: Maij Weggen</i>
7	84/94	<i>Cooperation Agreement between the European Community and the Republic of South Africa. Rap: G. Kinnock</i>
8	123/94	<i>Work of the ACP-EU Joint Assembly in 1994. Rap: Baldini</i>
9	137/95	<i>Operations to promote tropical forests (second reading). Rap: van Putten</i>
10	146/95	<i>AIDS policy of the Community and the Member States in the developing world. Rap: Schmid</i>
11	149/95	<i>Anti-personnel landmines: a murderous impediment to development. Rap: Cunningham</i>
12	170/95	<i>Coordination between the Community and the Member States on education and training schemes in developing countries. Rap: Günther</i>
13	208/95	<i>Development cooperation with South Africa. Rap: Günther</i>
14	252/95	<i>'EC Investment Partners' financial facility for the countries of Latin America, Asia, the Mediterranean region and South Africa (second reading). Rap: Jackson</i>
15	283/95	<i>Humanitarian aid. Rap: Sauquillo Perez del Arco</i>
16	285/95	<i>Food aid policy and food aid management and special operations in support of food security. Rap: Telkämper</i>
17	300/95	<i>Cofinancing operations with European non-governmental development organisations (NGDOs) in fields of interest to the developing countries. Rap: Paakinnen</i>
18	301/95	<i>Decentralised cooperation. Rap: Vecchi</i>
19	302/95	<i>Rehabilitation and reconstruction operations in developing countries. Rap: Andrews</i>

1. LIST OF DOCUMENTS OF THE DEVELOPMENT COMMITTEES BY PARLIAMENTARY TERM

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
20	303/95	<i>Support for rehabilitation programmes in southern Africa.</i> Rap: Baldi
21	13/96	<i>Operations to aid uprooted people (refugees, displaced persons and returnees) in Asian and Latin American developing countries.</i> Rap: Howitt
22	45/96	<i>Work of the ACP-EU Joint Assembly in 1995.</i> Rap: Aldo
23	70/96	<i>North-South cooperation in the campaign against drugs and drug addiction.</i> Rap: Liese
24	72/96	<i>Conclusion of the Cooperation Agreement between the European Community and the Kingdom of Nepal.</i> Rap: Pettinari
25	112/96	<i>Environmental measures in developing countries in the context of sustainable development.</i> Rap: Taubira-Delannon
26	113/96	<i>HIV/AIDS-related operations in developing countries.</i> Rap: André-Léonard
27	122/96	<i>Aid for population policies and programmes in the developing countries.</i> Rap: Nordmann
28	125/96	<i>Humanitarian aid (second reading).</i> Rap: Sauquillo Perez del Arco
29	126/96	<i>Food aid policy and food aid management and special operations in support of food security (second reading).</i> Rap: Telkämper
30	136/96	<i>Rehabilitation and reconstruction operations in developing countries (second reading).</i> Rap: Andrews and Baldi
31	138/96	<i>Application of a multiannual scheme of generalised tariff preferences in respect of certain agricultural products originating in developing countries.</i> Rap: Fassa
32	182/96	<i>Special system of assistance to traditional ACP suppliers of bananas.</i> Rap: Castagnède
33	214/96	<i>Development cooperation with South Africa (second reading).</i> Rap: Günther
34	280/96	<i>Ninth EC-UNRWA Convention covering the years 1996-1998.</i> Rap: Krouchner
35	340/96	<i>Environmental measures in developing countries in the context of sustainable development (second reading).</i> Rap: Taubira Delannon
36	341/96	<i>HIV/AIDS-related operations in developing countries (second reading).</i> Rap: André-Léonard
37	344/96	<i>Operations to aid uprooted people in Asian and Latin American developing countries (second reading).</i> Rap: Howitt
38	387/96	<i>Conclusion of the Agreement amending the fourth ACP-EC Convention of Lomé, signed in Mauritius on 4 November 1995.</i> Rap: Wurtz
39	8/97	<i>Protocol to the fourth ACP-EC Convention of Lomé following the accession of Austria, Finland and Sweden to the European Union.</i> Rap: Kouchner

THE DEVELOPMENT COMMITTEES

Reports and resolutions of the various committees responsible for development cooperation from 1958 to 1999

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
40	19/97	<i>Outcome of the proceedings of the ACP-EU Joint Assembly in 1996.</i> Rap: Baldi
41	21/97	<i>EU humanitarian aid and the role of ECHO, and linking relief, rehabilitation and development.</i> Rap: Fassa
42	28/97	<i>Complementarity between the Community's development cooperation policy and the policies of the Member States.</i> Rap: McGowan
43	57/97	<i>Aid for population policies and programmes in the developing countries (second reading).</i> Rap: Nordmann
44	59/97	<i>North-South cooperation in the campaign against drugs and drug addiction (second reading).</i> Rap: Liese
45	86/97	<i>Commission communication on European Community support for regional economic integration efforts among developing countries.</i> Rap: Needle
46	175/97	<i>Procedure for implementing Article 366a of the fourth Lomé Convention (interim report).</i> Rap: Aelvoet
47	216/97	<i>Conclusion of the Cooperation Agreement between the European Community and the Lao People's Democratic Republic.</i> Rap: Castagnède
48	221/97	<i>Conclusion of the Cooperation Agreement between the European Community and the Kingdom of Cambodia.</i> Rap: Pettinari
49	274/97	<i>Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century.</i> Rap: Martens
50	318/97	<i>Integrating gender issues in development cooperation.</i> Rap: Junker
51	371/97	<i>Cofinancing operations with European NGOs in fields of interest to the developing countries (second reading).</i> Rap: Paasio
52	382/97	<i>Support for structural adjustment and debt relief in heavily indebted ACP States.</i> Rap: Torres Couto
53	388/97	<i>Improving the effectiveness of Community aid.</i> Rap: Goerens
54	7/98	<i>Cooperation Agreement between the European Community and the Republic of Yemen.</i> Rap: Pettinari
55	80/98	<i>Results of the work of the ACP-EU Joint Assembly in 1997.</i> Rap: Robles Piquer
56	85/98	<i>Guidelines for the negotiation of new cooperation agreements with the African, Caribbean and Pacific (ACP) countries.</i> Rap: Rocard
57	96/98	<i>Decentralised cooperation (second reading).</i> Rap: Vecchi
58	194/98	<i>Procedure for implementing Article 366a of the fourth Lomé Convention (interim report).</i> Rap: Aelvoet
59	198/98	<i>Fair trade.</i> Rap: Fassa

1. LIST OF DOCUMENTS OF THE DEVELOPMENT COMMITTEES BY PARLIAMENTARY TERM

NO	REPORT NUMBER	TITLE OF REPORT AND NAME OF RAPPORTEUR
60	237/98	<i>Special framework of assistance for traditional ACP suppliers of bananas.</i> Rap: Liese
61	262/98	<i>Management of preferential tariff arrangements.</i> Rap: Nordmann
62	291/98	<i>Integrating gender issues (second reading).</i> Rap: Junker
63	411/98	<i>Democracy, the rule of law, respect for human rights and good governance: the challenges of the partnership between the European Union and the ACP States.</i> Rap: Fernandez Martin
64	466/98	<i>Implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy.</i> Rap: Torres Couto
65	508/98	<i>EU standards for European enterprises operating in developing countries: towards a European Code of Conduct.</i> Rap: Howitt
66	12/99	<i>Special framework of assistance for traditional ACP suppliers of bananas (second reading).</i> Rap: Liese
67	13/99	<i>Procedure for implementing Article 366a of the fourth Lomé Convention (recommendation).</i> Rap: Aelvoet
68	36/99	<i>Relations between overseas countries and territories (OCTs), the ACP States and the outermost regions of the European Union.</i> Rap: Aldo
69	65/99	<i>Results of the work of the ACP-EU Joint Assembly in 1998.</i> Rap: Corrie
70	116/99	<i>Conclusion of the Cooperation Agreement between the European Community and the Kingdom of Cambodia (second report).</i> Rap: Pettinari
71	135/99	<i>Cooperation operations which contribute to the general objective of developing and consolidating democracy (second reading).</i> Rap: Torres Couto
72	237/99	<i>Conservation and sustainable management of tropical forests and other forests in developing countries.</i> Rap: Pomez Ruiz
73	249/99	<i>Development cooperation with South Africa.</i> Rap: Fassa
74	254/99	<i>Integration of the environmental dimension in the development process of developing countries.</i> Rap: van Putten

ANNEXES

2. PARLIAMENTARY REPORT 65/1958⁵⁴⁴ ON THE SECTIONS OF THE GENERAL REPORT ON THE ACTIVITIES OF THE EUROPEAN ECONOMIC COMMUNITY RELATING TO THE ASSOCIATION OF OVERSEAS COUNTRIES AND TERRITORIES (CHAPTER VII).

RAP: CARBONI

⁵⁴⁴ The english original version does not exist.

Document N° 65 1958

ASSEMBLÉE PARLEMENTAIRE EUROPÉENNE

Rapport

fait au nom de la

Commission de l'association des pays et territoires d'outre-mer

sur

les parties du premier rapport général sur l'activité de la Communauté
Économique Européenne qui concernent l'association des pays et
territoires d'outre-mer (chapitre VII)

par

M. Enrico CARBONI
R a p p o r t e u r

DÉCEMBRE 1958

Les 11 et 23 octobre, le 14 novembre et le 10 décembre 1958, la commission de l'association des pays et territoires d'outre-mer, présidée par M. SCHEEL, a examiné les parties du premier rapport général sur l'activité de la Communauté Economique Européenne qui concernent l'association des pays et territoires d'outre-mer (chapitre VII).

M. CARBONI a été désigné comme rapporteur au cours de la réunion du 11 octobre 1958.

Le présent rapport a été adopté à l'unanimité le 10 décembre 1958.

Etaients présents :

*MM. SCHEEL, président
CARBONI, rapporteur
BIRKELBACH
DUVIEUSART
KALBITZER
LICHTENAUER
LINDENBERG
METZGER
OESTERLE*

Conformément à l'article 41-3 du règlement, M. CARCASSONNE était suppléé par M. SAVARY, M. DEHOUSSE par M. DE KINDER, M. DEIST par M. KREYSSIG, M. VAN KAUVENBERGH par M. KAPTEYN et M. VALS par M. SMETS.

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RAPPORT

sur

**les parties du premier rapport général sur l'activité de la Communauté Economique Européenne
qui concernent l'association des pays et territoires d'outre-mer (chapitre VII)**

par

M. Enrico CARBONI

Introduction

Monsieur le Président, Mesdames, Messieurs,

1. Le rapport général sur l'activité déployée par la Communauté Economique Européenne du 1^{er} janvier au 17 septembre 1958, a permis à votre commission de l'association des pays et territoires d'outre-mer de procéder à un examen vaste et approfondi des questions, tant générales que particulières, qui sont exposées et développées dans ce rapport.

2. Le chapitre VII, que le rapporteur consacre tout entier à l'association des pays et territoires d'outre-mer (paragraphe 132 à 141), indique tout d'abord (paragraphe 132) quels sont les devoirs que les Etats membres ont à remplir et quelles sont les responsabilités qu'ils doivent assumer vis-à-vis des pays et territoires non européens avec lesquels ils entretiennent des relations particulières, afin que le développement et l'amélioration des conditions de vie de leurs populations deviennent une réalité vivante.

3. Votre commission (1) a remarqué tout d'abord que, pour améliorer les conditions de vie des populations des pays et territoires d'outre-mer, il faut qu'un rapport sur les conditions sociales de ces populations soit présenté à l'Assemblée. Les représentants de la

(1) Par cette expression, le présent rapport désignera la commission de l'Assemblée Parlementaire Européenne pour la distinguer de la Commission de la Communauté Economique Européenne qui sera, en revanche, dénommée Commission C.E.E.

Commission C.E.E. ont fait observer que si le rapport général est muet sur les questions sociales, c'est uniquement parce qu'il est très difficile d'obtenir des renseignements précis à ce sujet. Ils ont donné l'assurance qu'un rapport spécial sera rédigé au début de l'année prochaine sur la question, en vue de combler cette lacune que l'on a très justement notée sur la situation sociale dans les pays et territoires d'outre-mer. Désormais, comme l'a demandé votre commission, le rapport général annuel traitera des questions sociales en même temps que des questions économiques.

La Commission C.E.E. a fait connaître par ailleurs que les études nécessaires en vue d'établir avec exactitude les conditions sociales dans les différents pays associés sont d'ores et déjà en cours. Pour certains d'entre eux, des indications ont déjà été recueillies, qui doivent toutefois être vérifiées.

4. Il sera possible d'obtenir une unité plus grande dans l'examen de ces deux questions — question économique et question sociale — en multipliant les réunions auxquelles participent les commissions parlementaires plus directement intéressées aux problèmes que posent les pays et territoires d'outre-mer. C'est pourquoi votre commission a déjà prévu de tenir des réunions communes avec la commission des affaires sociales, par exemple, lorsqu'il s'agira d'examiner certains problèmes particuliers. Mais ces réunions ne pourront avoir lieu que lorsque la Commission C.E.E. aura présenté un rapport sur la situation sociale des pays et territoires d'outre-mer.

5. Votre commission a en outre discuté quelques questions qui, tout en étant de nature administrative, ont des répercussions d'ordre général sur l'étude des problèmes des pays et territoires d'outre-mer. Elle souhaite vivement que la Commission C.E.E. engage des fonctionnaires originaires des pays et territoires d'outre-mer, car elle y voit un excellent moyen d'obtenir des collaborateurs qui connaissent la situation réelle et les besoins de ces pays et territoires. La Commission C.E.E. a fait remarquer que, pour l'instant, l'absence de fonctionnaires capables d'occuper des postes impliquant des responsabilités est due à des difficultés qui sont d'origine et de nature très diverses. Il n'est pas facile, a-t-elle dit, de trouver parmi les populations des pays et territoires d'outre-mer un grand nombre de fonctionnaires bien préparés pour leurs tâches. D'autre part, il n'est pas facile non plus de les inciter à quitter leurs pays, alors qu'en raison de leur structure économique et politique ceux-ci ont plus que jamais besoin des services de leurs ressortissants les mieux préparés et les plus capables.

En réponse à une observation explicite de votre commission, la Commission C.E.E. a donné à celle-ci l'assurance que, bien qu'elle dise au paragraphe 20 du rapport général que les cadres supérieurs des services ont été pourvus de leurs titulaires, le plan qu'elle a établi prévoit 1.200 postes dont 742 restent encore à pourvoir et que parmi ceux-ci quelques postes supérieurs des échelons A à A5 seront réservés à des fonctionnaires originaires des pays et territoires d'outre-mer.

La Commission C.E.E. est fermement résolue à engager un certain nombre de fonctionnaires originaires des pays et territoires d'outre-mer qui auront, comme

l'a demandé votre commission, les mêmes possibilités de carrière que leurs collègues européens.

6. La Commission C.E.E. a fait remarquer qu'en cas de réduction du budget il pourrait être nécessaire par voie de conséquence, de réduire le nombre des fonctionnaires. Votre commission a alors déploré que le Conseil de Ministres n'ait pas porté à la connaissance de l'Assemblée la demande de réduction du budget qu'il a présentée.

Votre commission tient à souligner la compétence du Conseil de Ministres en ce qui concerne les problèmes budgétaires; elle réaffirme l'utilité des discussions entre l'Assemblée et le Conseil en tant qu'institution de la Communauté. Ce n'est qu'ainsi, de l'avis de votre commission, qu'il pourra y avoir des échanges de vues utiles entre l'Assemblée et les organes exécutifs de la Communauté (Conseil de Ministres et Commission C.E.E.) et que les parlementaires seront mis à même de défendre plus efficacement les intérêts européens dans leurs parlements nationaux.

7. La Commission C.E.E. a fait savoir en outre qu'elle a déjà engagé un certain nombre d'agents subalternes et qu'au budget de 1959 un crédit est prévu pour l'engagement de stagiaires qui devront être choisis d'accord avec les gouvernements locaux; la Commission C.E.E. déterminera la durée du stage, les fonctions qui devront être confiées aux stagiaires et le statut qui leur sera appliqué. Même en cas de réduction du budget, le montant des crédits prévus pour les stagiaires ne sera pas modifié.

La visite que M. Allardt, directeur général, a faite dans les pays et territoires d'outre-mer aura certainement servi très utilement à élucider ces questions.

Droit d'établissement

8. Lors de l'examen du paragraphe consacré dans le rapport général au droit d'établissement, votre commission a mis l'accent sur la nécessité de tenir compte, dans l'application de ce droit, des désirs des populations locales en ce qui concerne le développement économique des pays et territoires d'outre-mer. Ce développement dépend non seulement de la manière dont les fonds à investir peuvent être employés dans ces territoires, mais encore de la mentalité des personnes qui, dans les administrations nationales, ont la charge de ces territoires et de la formation de techniciens originaires des territoires intéressés. D'autre part, ni votre commission, ni la Commission C.E.E. n'ont pu passer sous silence le fait qu'il y a des divergences entre les règles du traité et celles de la convention et que ces textes présentent des lacunes qui en rendent l'application difficile ou tout au moins imprécise. Votre commission a tenu à attirer l'attention de la Commission C.E.E. sur la nécessité de surmonter rapidement les difficultés que celle-ci a signalées en ce qui concerne la réunion de sources de droit ainsi que sur la nécessité pour la Commission C.E.E. de proposer dans les délais fixés par les traités de Rome

(art. 52 et suivants), les modalités d'application du droit d'établissement dont le Conseil de l'Europe s'est aussi longuement occupé.

La Commission C.E.E. a donné l'assurance que, nonobstant la complexité du problème et la difficulté que présente la solution de celui-ci, elle sera en mesure de soumettre au Conseil de Ministres d'ici le 31 décembre 1958 les propositions qu'elle a l'obligation de formuler avant l'expiration des deux premières années de la première étape de la période de transition (art. 54 du traité). Ces propositions sont nécessaires pour la fixation du programme général prévu à l'article 54 pour la suppression des restrictions à la liberté d'établissement qui existent à l'intérieur de la Communauté. Ce programme devra être approuvé avant la fin de la première étape de la période de transition (art. 54) et conduira à la suppression progressive, mais complète, des restrictions à la liberté d'établissement au cours de la période de transition (art. 52).

Développement des échanges

9. La question du développement des échanges a été brièvement étudiée dans le rapport général qui a tenu avant tout à montrer les difficultés inhérentes à l'application des traités de Rome et à relever le fait que les pays et les territoires d'outre-mer peuvent, en vertu de l'article 133-3 du traité C.E.E., continuer, dans des conditions déterminées, à percevoir des droits de douane. Votre commission a fait remarquer qu'il serait certainement grave que les dispositions de la convention qui concernent le développement des échanges ne soient pas appliquées et que les délais prévus par ces dispositions ne soient pas respectés. Les peuples n'auraient alors pas l'impression que le 1^{er} janvier 1959 marque pour eux le début d'une ère nouvelle. D'autre part, il convient de faire remarquer que les mesures prévues en matière de contingents partiels et globaux à édicter pour le 1^{er} janvier ne sont pas simplement symboliques et qu'elles auront certainement des répercussions sur l'économie de tous les pays de la Communauté. De l'avis de votre commission, il faudrait que la Commission C.E.E. présentât à l'Assemblée, lors de sa session ordinaire, un tableau des répercussions concrètes qu'auront sur l'économie des Etats membres et des Etats associés les mesures applicables à partir du 1^{er} janvier 1959.

10. Votre commission a demandé à la Commission C.E.E., tant verbalement au cours des réunions qu'elle a tenues avec la participation de celle-ci, que par écrit dans une lettre signée de son vice-président, M. Aubame, qu'il lui soit communiqué une liste précise et complète des droits de douane que les divers pays et territoires d'outre-mer entendent percevoir en vertu de l'article 133-3 précité, parce que ces droits « répondent aux nécessités de leur développement et aux besoins de leur industrialisation » ainsi que des droits de caractère fiscal « qui ont pour but d'alimenter leur budget ». La Commission C.E.E. a fait remarquer qu'il était très difficile de connaître avec exactitude les vingt-deux régimes douaniers et fiscaux qui existent dans divers pays associés à la Communauté et que les gouvernements compétents n'ont pas encore donné suite à la

demande de la Commission C.E.E. de communiquer à celle-ci la liste des droits répondant aux conditions de l'article 133-3 du traité qu'ils se proposent de maintenir. La Commission C.E.E. a donné à votre commission l'assurance que dès qu'elle sera en possession de la liste de ces droits, elle s'empressera de la lui transmettre.

Votre commission s'est en outre préoccupée des problèmes que posent les paiements en monnaie étrangère et elle a reçu de la Commission C.E.E. l'assurance qu'aucun obstacle ne sera mis aux échanges des diverses devises dans les rapports entre les pays de la Communauté, de même que, d'autre part, rien ne s'oppose à la libre concurrence. Votre commission a aussi abordé cette question et bien qu'elle l'ait renvoyée à la commission de la politique à long terme, des questions financières et des investissements et à la commission du marché intérieur aux fins d'une étude plus approfondie, elle a cependant tenu à affirmer que le principe de la libre concurrence est garanti par le traité et ne devrait pas pouvoir être menacé par les interventions du Fonds de développement pour les pays et territoires d'outre-mer.

Contacts avec les autorités et les populations locales

11. Votre commission a examiné à plusieurs reprises la situation dans laquelle la Guinée se trouve vis-à-vis de la Communauté Economique Européenne depuis qu'elle a acquis son indépendance.

Votre commission pense qu'il est particulièrement souhaitable de maintenir les relations que le traité C.E.E. a créées entre la Guinée et la Communauté. Elle a pris acte avec satisfaction des déclarations que la Commission C.E.E. a faites à cet égard.

12. Votre commission a en outre reconnu que si la Commission C.E.E. a eu des contacts avec certains représentants des populations intéressées, comme le rapport général l'indique dans la première partie du paragraphe 138, il n'en est pas moins indispensable que la commission parlementaire compétente ait des contacts directs tant avec les gouvernements locaux qu'avec les assemblées parlementaires et avec les représentants des organisations syndicales : en effet, elle doit avoir une connaissance précise des besoins et des désirs qui se manifestent en ce qui concerne le développement économique et social des populations des pays et territoires d'outre-mer.

Information et études

13. Cette question a été traitée brièvement dans le rapport général, qui se borne à indiquer les méthodes à suivre pour l'information et les études et à souligner les difficultés d'obtenir des études sérieuses et parfaitement documentées. En revanche, votre commission l'a discutée très abondamment ; en effet, elle a tenu non seulement à affirmer que l'information et les études exigent un travail sérieux, mais encore

à préciser l'utilité de coordonner les travaux des divers organismes qui, dans les différents pays, étudient des problèmes relatifs aux pays et territoires d'outre-mer. Un récent congrès, tenu à Rome du 20 au 23 octobre dernier, s'est vivement intéressé à la question en ce qui concerne l'Afrique. Il était organisé par l'Istituto Italiano per l'Africa, de Rome, avec la coopération de la Deutsche Afrika-Gesellschaft, de Bonn, et de l'Afrika Instituut, de Rotterdam ; toutes les organisations européennes les plus importantes qui s'occupent de questions africaines y participaient.

A l'issue de leurs très intéressants travaux, les participants ont adopté une motion qui charge les organisations intéressées de procéder à un échange constant et réciproque de publications et d'informations. Ils ont également constitué trois commissions chargées d'étudier respectivement les problèmes : 1) scientifiques et techniques, 2) sociaux et culturels, 3) économiques. Le congrès de Rome a, en outre, créé un comité provisoire de liaison entre les organismes participant au congrès, en vue de maintenir les contacts entre les diverses institutions, d'augmenter le nombre, déjà considérable, des membres et de convoquer une conférence pour 1959.

Votre commission s'est en outre longuement demandée si elle-même ou l'Assemblée Parlementaire Européenne ne pourrait pas avoir des contacts directs avec la Commission économique pour l'Afrique, créée dans le cadre des Nations-Unies et dont le siège est à Addis-Abéba. La question de principe que pose la faculté pour l'Assemblée Parlementaire Européenne d'entretenir, pour son information, des rapports directs avec d'autres organismes internationaux (question qui figure d'ores et déjà à l'ordre du jour de la commission des affaires politiques) a été renvoyée à la commission compétente (commission des affaires politiques), mais votre commission a décidé qu'elle pourrait avoir d'utiles contacts non officiels et des entretiens avec la Commission économique pour l'Afrique.

Orientation des actions futures

14. Les critères exposés dans le rapport général en ce qui concerne l'utilisation du Fonds de développement ont posé pour votre commission quelques problèmes qu'elle a discutés en commun avec la Commission C.E.E. Le premier de ces problèmes est celui du choix de l'organisation qui devra étudier l'aspect technique de l'investissement des fonds ; à ce sujet, votre commission a déclaré, d'accord avec la Commission C.E.E. que, pour l'examen technique des projets, elle recourra avant tout à la collaboration des divers organismes nationaux ou internationaux plutôt que d'engager dans ses cadres les spécialistes nécessaires à l'accomplissement de ces tâches. Il faudra, de toute façon, tenir compte de la possibilité de recourir à la collaboration de techniciens qui aient une longue et sérieuse expérience des problèmes que posent les pays et territoires d'outre-mer, techniciens qui sont disponibles dans certains pays de notre Communauté par suite d'événements politiques bien connus. D'autre part, toute la question sera étudiée et une décision sera prise lorsque l'expérience aura montré quels sont les critères les plus utiles à cet égard.

Fonds de développement

15. Votre commission attache la plus grande importance à la gestion du Fonds de développement et à la répartition des crédits entre le secteur social et le secteur économique. Elle a eu connaissance de la répartition décidée par le Conseil de Ministres, qui destine les 2/3 des crédits aux investissements sociaux et 1/3 aux investissements commerciaux.

La Belgique, la France, l'Italie et les Pays-Bas ont déjà présenté certains projets à cet égard et une mission de fonctionnaires de la Commission C.E.E. procède dans le Ruanda-Urundi à des études de projets d'investissements à exécuter.

Selon la Commission C.E.E., la priorité sera donnée aux investissements qui tendent à élever le niveau de vie des populations, une préférence étant accordée aux pays sous-développés. Votre commission a fait observer que, dans la répartition des investissements, il ne faut pas non plus perdre de vue l'importance des répercussions politiques possibles de ces investissements.

Pour déterminer les différences entre investissements économiques et investissements sociaux, entre investissements publics et privés, entre investissements incombant ou n'incombant pas à la Communauté, votre commission s'est livrée à une discussion approfondie et à un large échange de vues ; la conclusion est qu'il importe de distinguer la nature des différents investissements et d'établir entre eux une coordination précise.

Votre rapporteur préfère parler simplement et clairement en évitant les longues dissertations juridiques, qui n'ont pas encore cessé et qui cherchent à distinguer entre ce qui doit être considéré comme public et ce qui doit être considéré comme privé. Il préfère éviter les difficultés que rencontrent les auteurs, sans pouvoir les éliminer, parce qu'ils soutiennent des thèses différentes et souvent contradictoires, si bien que ces difficultés ont eu des répercussions préjudiciables à l'application pratique. Votre rapporteur estime dès lors qu'il est opportun de considérer comme privés les investissements opérés par les instituts bancaires, quelle que soit la nature de ces instituts (privés ou publics), ou par les particuliers, tandis qu'il faut considérer comme publics, les investissements opérés par les États et par les organismes créés par eux.

Le critère suggéré n'a qu'un but limitatif et de nature évidemment pratique : créer un langage clair et simple pour définir la nature des investissements ; il ne prétend certainement pas résoudre le problème, plus complexe, de la distinction, sur le plan juridique, de ce qu'il faut considérer comme public ou comme privé. Il laisse aux juristes le soin de définir la « vexata questio » en prenant pour base, selon leur avis ou le but poursuivi, soit la nature des pouvoirs des instituts intéressés, soit le rattachement de l'action poursuivie aux fonctions que l'État estime être les siennes propres.

La discussion sur les investissements a amené votre commission à examiner la nature des rapports entre la Banque européenne d'investissement, dont parlent les articles 129 et 130 du traité de Rome et le protocole qui figure en annexe au traité, et le Fonds de développement pour les pays et territoires d'outre-mer, créé par le deuxième alinéa de

l'article 1 de la convention d'application relative à l'association des pays et territoires d'outre-mer à la Communauté.

Prenant en considération les règles précitées, votre commission a mis en lumière la nature et les buts différents des deux organismes. La Banque européenne d'investissement a une nature et des objectifs exclusivement bancaires ; elle est créée pour fournir des crédits, son activité étant liée à la garantie des capitaux prêtés et à leur emploi rémunérateur selon les règles qui seront établies par le Conseil des gouverneurs et par les autres organes prévus à l'article 8 du protocole sur les statuts de la banque.

Le Fonds de développement pour les pays et territoires d'outre-mer est, au contraire, de nature publique, au sens précédemment indiqué, et son objectif est de promouvoir, comme le prescrit l'article 1 de la convention, le développement social et économique des pays et territoires d'outre-mer, selon les normes que fixera la Commission C.E.E.

Votre commission a exprimé l'avis que les activités des deux organismes soient coordonnées et elle a souligné que la Banque européenne d'investissement échappait au contrôle parlementaire, qui ne pourrait s'exercer que si le traité était modifié, alors que le Fonds de développement pour les pays et territoires d'outre-mer est soumis à ce contrôle.

Nécessité de développer les marchés agricoles

16. Certains problèmes concernant l'activité agricole réclament des solutions rapides, tandis que d'autres sont moins urgents ; les décisions que la conférence de Stresa a prises à ce sujet ont servi de base tant au rapport général qu'à la discussion qui s'est déroulée au sein de votre commission.

Une des questions de fond que votre commission a posée à la Commission C.E.E. est celle des rapports qui devront s'établir entre les pays et territoires d'outre-mer en ce qui concerne l'orientation qu'il convient de donner à leurs marchés, de manière que le développement de ceux-ci, de même que les préférences dont jouiront leurs produits dans l'aire de la Communauté, ne troublent pas les relations commerciales entre les pays membres de la C.E.E. et les pays tiers.

La solution de ce problème a été comparée à la quadrature du cercle ; elle ne pourra être trouvée que si l'on tient compte d'une part de quelques principes qui peuvent être dégagés des traités de Rome, et, d'autre part, si on suit une ligne de conduite qui concilie les intérêts économiques des pays et territoires d'outre-mer associés à la Communauté avec le maintien et le développement des rapports économiques avec les pays tiers.

