

REPUBLIC OF KENYA



(Second Session)

TWELFTH PARLIAMENT



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by Hon. Katoo Ok
Metito, MP on
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24 JUL 2018

REPORT OF THE 49TH SESSION OF THE ACP PARLIAMENTARY
ASSEMBLY AND INTER-SESSIONAL MEETINGS OF THE ACP-EU JOINT
PARLIAMENTARY ASSEMBLY

ACP House & European Parliament
Brussels, Belgium
20th to 22nd March, 2018

Clerk's Chambers
Parliament Buildings
NAIROBI

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ABBREVIATIONS

ACP: African, Caribbean and Pacific

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

ACP-PA: African, Caribbean and Pacific Parliamentary Assembly

CEDFT: Committee on Economic Development, Finance and Trade

CPA: Committee on Political Affairs

CSAE: Committee on Social Affairs and the Environment

CTC: Counter Terrorism Committee

EAC: East African Community

EDF: European Development Fund

EPAs: Economic Partnership Agreements

EU: European Union

GSP: Generalised System of Preference

JPA: Joint Parliamentary Assembly

LDCs: Least Developed Countries

MDGs: Millennium Development Goals

ODA: Official Development Assistance

PREFACE

Mr. Speaker,

The 49th Session of the African, Caribbean and Pacific (ACP) Parliamentary Assembly took place on 21st March, 2018. The Assembly was preceded by the Meeting of the working group on Post Cotonou on 19th March, 2018, Committee meetings of the ACP that took place on 20th March, 2018, the 49th Session of the ACP Parliamentary Assembly on 21st March, 2018 and was followed by Inter-Sessional Committee meetings of the ACP-EU Joint Parliamentary Assembly (JPA) that took place on 22nd March, 2018. The ACP Committee meetings and Assembly took place at ACP House, while the Inter-sessional meetings of the ACP-EU JPA took place at the European Parliament, both in Brussels, Belgium.

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

- (i) Hon. Katoo Ole Metito, MP – Leader of the delegation/National Assembly
- (ii) Hon. (Prof.) Margaret Kamar, MP – Senate Member of Delegation
- (iii) Hon. Lilian Gogo, MP –Member of the National Assembly
- (iv) Hon. John Kiarie Waweru, MP -Member of the National Assembly
- (v) Mr. Nicholas Emejen – Deputy Director, Committee Services,
National Assembly
- (vi) Mr. Innocent Mbaya – Delegation Secretary, Senate
- (vii) Ms. Anne Shibuko – Delegation Secretary, National Assembly
- (viii) Ms. Mitchelle Osok – Third Clerk Assistant, Senate

The Kenyan Deputy Ambassador to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the European Union, Mr. Patrick Nzusi, Mr. Githaiga and Ms. Dorothy Nthiwa, from the Kenya Embassy in Brussels were on hand to provide technical support to the delegation.

Mr. Speaker,

The 49th Plenary Session of the ACP PA considered and debated issues affecting member-states. The Committees agreed on the topics for their next

reports and appointed co-rapporteurs. They also exchanged views on selected topics and urgent topics for resolutions in the presence of experts appointed by each Committee.

Mr. Speaker,

The group participated actively in all the deliberations and issued statements with regard to the topics that were under discussion. Kenya also issued a statement on the hosting the 15th Regional Meeting (East African Region) of the ACP-EU Joint Parliamentary Assembly from April 11 to 13, 2018 in Nairobi Kenya.

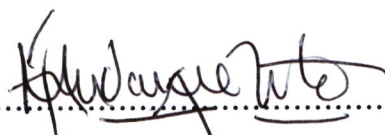
Mr. Speaker,

The JPA also discussed matters on the ACP-EU relations Post Cotonou, highlighting the challenges of the ACP Parliamentary Assembly and the ACP-EU Joint Parliamentary Assembly. A working group on Post Cotonou facilitated the discussions that were submitted at the ACP Parliamentary Assembly.

Mr. Speaker,

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

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

SIGNATURE.....
HON. KATOO OLE METITO, MP
LEADER OF THE DELEGATION
DATED.....20/7/2018.....

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REPORT OF THE PROCEEDINGS OF THE ACP COMMITTEES, ACP PARLIAMENTARY ASSEMBLY AND INTERSESSIONAL MEETINGS OF ACP-EU JOINT COMMITTEES: BRUSSELS, BELGIUM – 20TH TO 22ND MARCH, 2018

I. INTRODUCTION

1. The ACP-EU Joint Parliamentary Assembly was created out of a common desire to bring together the elected representatives of the European Community – the Members of the European Parliament – and the elected representatives of the African, Caribbean and Pacific states (ACP Countries) that have signed the Cotonou Agreement.
2. Since the entry into force of the Treaty on the European and EU enlargement it has acquired a more prominent role. A substantial part of the work of the Joint Parliamentary Assembly is directed towards promoting human rights and democracy and the common values of humanity, in relation to political situations in partner states, economic partnerships between EU and ACP and environmental matters as they affect socio-economic development. This has produced joint commitments undertaken within the framework of the UN conferences.

Composition and working methods

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

Assembly, together with the two co-presidents. The Bureau meets several times a year in order to ensure the continuity of the work of the Joint Parliamentary Assembly and to prepare new initiatives aimed notably at reinforcing and improving cooperation. It also considers topical political questions and adopts positions on all human rights cases.

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

Initiatives by the Joint Parliamentary Assembly

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

Agreements (EPAs) and the European Development Fund (EDF) envisaged in the Cotonou Agreement, the drawing up of rural development programmes and micro-projects tailored to the needs of specific communities and the promotion of regional, political and commercial cooperation.

Membership and meetings

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

1.1 MEETINGS OF THE ACP COMMITTEES

10. The ACP Committee meetings took place on 20th March, 2018 at ACP House, where several matters were discussed, as follows: -

1.1.1 Committee on Political Affairs

11. The Committee held its meeting on 20th March, 2018 at the ACP House. The Meeting was opened and presided by the Chairperson Mrs. Vicky Katumwa who thereafter made her statement on catastrophic events that have happened in member states ahead of the ACP meetings.
12. The Meeting adopted its draft agenda and approved the summary record of its deliberations in the last meeting held on Wednesday, 14th December 2017, in Port-au-Prince, Haiti.
13. The Meeting then deliberated on the items on the draft Agenda of the Meeting of the JPA Committee on Political Affairs scheduled for Thursday, 22nd March 2018, at the European Parliament.

ACP-EU Relations Post-Cotonou: A Strong Parliamentary Dimension

14. The members deliberated at length on the draft motion for resolution on “ACP-EU relations post-Cotonou: a strong parliamentary dimension” with the facilitation of Hon. Jacob Oulanyah of Uganda in his capacity as the ACP co-rapporteur.

15. The Committee exchanged views on the proposed resolutions and the following emerged-
- a) That the resolution should ensure the need for an assembly that is legislatively constructed to ensure that the JPA does not remain as a consultative group.
 - b) That the ACP should meet frequently to make the institution relevant.
 - c) That a financing mechanism be put in place to support the work of the Assembly.
 - d) Budget remains a major concern for the ACP and should be expressed clearly in the resolution
 - e) Institutional and capacity constraints should be clearly expressed in the resolution. The need for an assembly secretariat to ensure that the both secretariats have equal man power to service the work of the assembly
 - f) The resolution must strongly express the need for the ACP Group to negotiate as one and in pursuit of the unity expressed in the values of the ACP Group.
 - g) Members strongly opposed the issue of opposition participation citing the difference in the arrangement of the ACP Group delegations being very different from that of the European parliament counterpart.
 - h) The committee also cautioned against having the resolution address the issue of Members participation to meetings as it was not relevant to the purpose if the resolution.
16. The Committee concluded by requesting that the elements of the resolution be used to feed into the outcome document of the work of the working group on Post 2020 negotiations.
17. The Committee also extensively discussed the ongoing discussions at the Extraordinary Summit of AU Heads of State and Government on Africa's Common position on post 2020. The Committee called for the group to negotiate as one and strongly rejected calls for a defragmented ACP. Following which the meeting proposed to submit a declaration on the ACP

Members of Parliament on the African common position on Post 2020 negotiations.

The Fight Against Cyber Crime and Drug Trafficking

18. The Committee recalled that the next report for the Committee was “The fight against cybercrime and drug trafficking”.
19. The committee appointed ~~Hon.~~ Hon Agnima Alain Michel Lobognon of Cote d’Ivoire as the ACP Co- Rapportuer. Due to lack of time the Committee did not deliberate on the topic.

On items for exchange of views

20. The Committee was informed of the items for exchange of views which include
 - Role of Parliaments in monitoring the work and actions of the UN Peace Keepers
 - Post Cotonou – Negotiating mandate and perspectives
 - The fight against corruption in the judicial sector: case study of Italy

Political Situation in ACP Countries

21. As regards the political situation in ACP States, the ACP Members received updates from following countries:

Cote d’Ivoire

22. The Representative of Cote d’Ivoire informed of the historic developments of the creation of the Senate adding that the Senate will have a bicameral cabinet. He stated that election of Senators will take place on 24th March 2018 and during the first half of April the Senate will be put in place.

Togo

23. The Representative of Togo informed the meeting that the Dialogue as informed in Haiti, is in progress since 15th February 2018 under the facilitation of the President of the Republic of Ghana who is currently holding consultations with the protagonists.

Burkina Faso

24. The representative of Burkina Faso informed of the recent terrorist attacks that took place on 2nd March 2018 that targeted the French Embassy. These attacks led to deaths and damage of property.
25. He also informed the meeting that the Country was going to have a new constitution that was tabled in November 2017. This constitution calls for presidential term limits and also that of the Members of Parliament restricted to 3 terms.

Djibouti

26. The Representative of Djibouti informed the meeting that elections took place on the 23rd February 2017 in calm and peaceful environment. The elections were observed by IGAD, African Union, the Arab League who have indicated that the elections were free and fair. He added that the women representation noted great gains with increase from 10% to 25%. Voter registration was also very high and conducted very well.

Liberia

27. The representative of Liberia informed the meeting that Liberia is stable after 44 years and had its historic smooth transition of power. He stated that the country ^{continues} ~~countries~~ to pursue its gender balance agenda and has appointed a woman at the helm of the nation's leadership as vice president.

Ethiopia

28. Following the announcement of the resignation of Prime Minister Hailemariam Dessalegn, as part of the ongoing governmental reform process, the Council of Ministers unanimously declared a 6-month State of Emergency on 19th February 2018. He added that the former Prime Minister will stay on as a caretaker prime minister until a replacement is named.

Mali

29. The representative of Mali updated the committee on two issues – security and elections. On security he informed the meeting that terrorism remained a big problem to the people of Mali. Attacks had become so

frequent and were not only taking place in the center of the city but also in the northern part of the country. He added that this indicated that the phenomena are still spreading and called for international community's support as they address this issue. The Mali government is making all efforts to ensure that they address this issue even through the G5 Sahel forum.

30. On Elections he informed the meeting that elections will be taking place in July but due to the security situation caution is being taken. He added that unfortunately if elections were not held there would be a vacuum of leadership. He stated that the opposition had requested for the election list and government has put in place a system which will lead to electoral cards and strives to also engage civil society.

Zimbabwe

31. Following the resignation of the former President and the inauguration of the President Emerson Mnangagwa on 24th November 2017, the president has had a consistent message that assures citizens of his desire to work tirelessly to create a peaceful and stable political and socio-economic environment that will ensure the nations prosperity. He has also made a commitment to re-engage with the international community.
32. She also informed the meeting that elections would be taking between July and August 2018 and will be free, fair, transparent and credible elections. She added that all international election observers including the EU had been invited to observe the elections. So far SADC, UN and EU have already dispatched teams to prepare for eventual deployment of their observer missions.

Cameroon

33. The representative of Cameroon informed the meeting that elections of senators are to be held on 25th March 2018 and Presidential elections will be held at the end of the 2018.

DRC

34. The representative of the DRC informed that the elections will take place in December 2018, although there have been some challenges on the

preparations. The Democratic Republic of Congo is determined to organize these elections.

Haiti

35. The representative of Haiti informs that the government of President Moïse has taken office and the country is moving towards stability. He added that developments in the local areas of the Dominican Republic were worrying and brought a sense of racism raising in the Dominican Republic. Recently, a citizen of the Dominican Republic was murdered and claimed that a Haitian was responsible for the murder. This has led to killings of Haitians by Dominican Republic national in revenge to the murder. The Haitian authorities are taking action on this issue

Sudan

36. The representative of Sudan informed the meeting of the ongoing efforts in the region in tackling terrorism. He added that Sudan had signed into a legal mechanism that seeks to combat human trafficking and money laundering.

49th Session of the ACP Parliamentary Assembly

The Chairperson of the Committee on Political Affairs proceeded to give an oral report of the account of its meeting held on Tuesday, 20th March 2018.

1.1.2 Committee on Economic Development, Finance and Trade

37. After adopting its Agenda and approving Minutes of the previous meeting, the Committee proceeded to consider the substantive agenda items.

The impact of the illegal trade in phytosanitary products, seeds and other agricultural inputs on ACP Countries' economies

38. Under this item, Committee members considered the draft report, based on a brief presentation made by the ACP Co-Rapporteur, the Honourable Lucie Milebou Aubusson from Gabon.

39. The draft report on the impact of the illegal trade in phytosanitary products, seeds and other agricultural inputs on ACP countries' economies underscore the importance of sustainable agriculture in ACP countries' poverty alleviation and hunger eradication strategies. Although the use of phytosanitary products or pesticides, seeds and other agricultural inputs contributes to the development of intensive agriculture, the draft report warned against the adverse and dramatic economic, social, and environmental effects of the uncontrolled and unchecked use of these chemical products on populations, biodiversity, and public policies.
40. In this regard, the report called for the formulation of a clear and comprehensive strategy to effectively combat the illegal trade in pesticides, seeds, and other agricultural inputs and reduce their consumption.
41. The discussions that followed the presentation of the draft report highlighted the need to strengthen and respect the regulations against the illegal trade in pesticides; the need to strengthen the capacities of the technical services to prevent and control phytosanitary products; the consideration of a regional approach and the engagement of EU countries to more effectively combat the illegal trade in pesticides; and the sensitization of young people and women to the use of phytosanitary products.
42. The members of the Committee were informed of the ACP Secretariat's actions in the context of intra-ACP cooperation to combat the illegal trade in phytosanitary products. Finally, Committee members were invited to make amendments to the draft resolution in order to ensure that the resolution adopted would reflect the interests of ACP countries.

Appointment of the ACP Co-Rapporteur to prepare the report on Small and Medium Enterprises (SMEs) development at the heart of economic transformation in ACP countries

43. Under this agenda item, the Committee appointed by acclamation the Honourable Sangeet Fowdar of Mauritius as its Co-Rapporteur for the 30th report entitled “**Small and Medium Enterprises (SMEs) development at the heart of economic transformation in ACP countries.**” The drafting of a report on this subject provided the ACP-EU Joint Parliamentary Assembly with the opportunity to focus on the contribution of SMEs and micro-enterprises to the economic transformation process in ACP countries.

Fiscal cooperation: ACP Countries on the EU list of non-cooperative tax jurisdictions

44. In December 2017, the Council of the European Union (EU) approved the EU list of non-cooperative countries and territories for tax purposes. At present, six (6) ACP countries are still regarded as non-cooperative tax jurisdictions. Based on a presentation made by the Secretariat, the members of the Committee had a discussion on the EU list of non-cooperative countries and territories for tax purposes and were informed of the ongoing discussions within the Committee of Ambassadors on this matter.

45. While underscoring the need to have good governance in tax matters, the members of the Committee rejected the EU’s unilateral approach in creating the list, which tarnishes the image of the affected countries. They called on the EU to engage in dialogue in the context of the ACP-EU Partnership Agreement.

46. Upcoming discussions with European parliamentary colleagues, as well as with the OECD and the European Commission, within the Joint Committee, would give the Committee the opportunity to express our concerns and to demand answers from the EU.

Economic Partnership Agreements: state of play of negotiations and implementation

47. The Secretariat provided a brief update on the EPA process. It indicated that since the Committee's last meeting in Haiti, there had been no new developments regarding the negotiations.
48. Committee members highlighted the negative effects on the integration processes in ACP regions of the piecemeal implementation of interim partnership agreements. The coexistence of several legal trade regimes in the same space is not conducive to the facilitation of regional integration. Committee members stated that in light of growing pressure from civil society, there is a greater need to show the results and benefits of EPAs for populations and development.
49. The Committee lauded the upcoming ratification of the landmark African Continental Free Trade Area (AfCFTA) treaty by African Presidents during the African Union (AU) Summit on March 21, 2018 in Kigali, Rwanda, which aims to establish a single liberalized market that will spur industrialization, infrastructural development, economic diversification and trade across the continent, promote industrial development through diversification, regional value chain development, agricultural development and food security.

European Development Fund: State of Play of the Mid-Term Review of the Programmes

50. Under this item, Committee members were informed of the mid-term review (MTR) process and its objectives. The MTRs of the National Indicative Programmes are provided for in Articles 5 of Annex IV of the Cotonou Agreement. They are conducted using a bilateral process on a national level, between the National Authorising Officer and the European Commission.
51. The Committee agreed that it was vital for the Members to oversight the implementation of the European Development Fund in their respective

countries through their Parliaments especially through assessment of the institutions that were beneficiaries to the fund. The ACP secretariat would liaise with the EU to furnish the Committee with the details of the beneficiary projects.

52. The aim of the MTRs is to make financial cooperation flexible enough to ensure that the actions correspond to the objectives of the Cotonou Agreement and that any changes in countries' economic situations, priorities, and objectives are taken into account. During the MTRs, financial performances are also assessed, possibly leading to an increase or decrease in the initially allocated resources, based on their level of absorption.

European Investment Bank (EIB): investments in ACP Countries

53. Under this item, the Committee was informed that the European Investment Bank would during the ACPEU Joint Committee sitting, present to members of the Committee its investment portfolio in ACP countries. In this regard, the Secretariat indicated that EIB investments in ACP countries are made in the context of the Investment Facility provided for under the ACP-EU partnership agreement.

54. Under the 11th EDF, the sum of €1,134 million was allocated to the Investment Facility. A review of the Investment Facility is currently underway to show to what extent the operations financed through the facility are consistent with the countries' development strategies. A progress report on the review would be submitted during the upcoming meetings in June, 2018.

1.1.3 Committee on Social Affairs and the Environment

55. The Meeting, held on Tuesday, 20th March 2018, at ACP House, was opened and presided over by the Chairperson (Eritrea).

56. The Meeting adopted its draft agenda and approved the summary record of its deliberations in the last meeting held on Thursday, 14th December 2018, in Port-au-Prince, Haiti.

57. The Meeting then deliberated on the items on the draft Agenda of the Meeting of the JPA Committee on Social Affairs and the Environment to be held on Thursday, 22nd March 2018, at the European Parliament.

Draft Report: The Social and Environmental Consequences of Urbanisation, particularly the Sound Management of Industrial and Domestic Waste in ACP Countries

58. The Meeting considered the Draft Report with the facilitation of co-rapporteur Hon. Halifa Sallah (Gambia). Actions and recommendations of the Draft Report include:

- The EU and international Community to actively support the development of national waste management strategies;
- The ACP countries to initiate effective legislation which would ban the import and export of hazardous waste and punish its indiscriminate dumping;
- The EU to offer ACP states technical, financial and logistical assistance and expertise related to waste management; and
- ACP countries to create collaborative platforms with Stakeholders and civil society organisations in order to improve the 'reduce, reuse and recycle' approach among others.

Analysis of the Impact and Effectiveness of the EU Emergency Trust Fund for Africa on Key Countries of Origin and Transit of Migrants

59. The Meeting stressed on the importance of continuing the efforts underway to eliminate human trafficking from Africa to Europe.

Environmental Crime: A Growing Threat to Natural Resources, Peace, Development and Security.

60. The Meeting expressed deep concern with the exportation of hazardous toxic waste to other countries. Furthermore, the Meeting noted the

adverse environmental effects that occur when both local projects and foreign investments are undertaken without conducting environmental assessments.

Combating the Destabilization Effects of Wildlife Trafficking in ACP Countries and Promoting the Implementation of the External Dimension of the EU Action Plan against Wildlife Trafficking

61. The Meeting appointed Hon. Gilbert S. Mangole (Botswana) as the ACP rapporteur for this report.
62. Under urgent and topical subjects, the following subject matters were suggested for deliberation with the EU counterparts under urgent and topical subjects.
 - Migration and Human Rights; and
 - The Impact of Non-Communicable Diseases (NCDs).

1.1.4 Overview of the 39th Session of the ACP Parliamentary Assembly

63. After adopting its Agenda and approving Minutes of the previous meeting, the Parliamentary Assembly proceeded to consider the substantive agenda items.
64. The Chairperson welcomed delegates to the meeting. In his remarks, the chairperson brought to attention of the Assembly the unfortunate catastrophic events that occurred in ACP States since the last meeting in December, 2017 in Porte au Prince including the cyclones in the Pacific and the death of the Prime Minister in Djibouti.

Accreditation of non- Parliamentary representatives

65. Pursuant to Article 1(e) of the Rules of Procedure of the ACP Parliamentary Assembly on the provisions of designation of a non-parliamentary representative to represent a Parliament with the right to vote at that sitting of the Assembly, Members from Sierra Leone who had not been sworn in as Parliamentarians in their country following the recently concluded elections of 7th March 2018 were accredited.

15th Regional Meeting (East Africa)

66. The president invited the Leader of the Kenyan delegation, the Hon. Katoo Ole Metito, MP to issue a statement on the hosting of the 15th Regional Meeting (East African Region) of the ACP-EU Joint Parliamentary Assembly from April 11 to 13, 2018 in Nairobi Kenya.
67. The East African Regional Meeting was initially scheduled for February 19 to 21, 2018, but given the lack of offers from other countries in the region to host the meeting, Kenya submitted its expression of interest to do so. Following discussions between the Ambassador of Kenya to the EU on one hand and the ACP and EU Secretariat on the other, it was agreed that the dates of the meeting be pushed to 11 - 13 April 2018 to enable Kenya to host.

Working Group on Post Cotonou

68. At its 48th Session held in Haiti, the ACP Parliamentary Assembly had approved the setting up of a working group of the Assembly on Post Cotonou. The rapporteur of the working group Hon. Jacob Oulanyah, MP, Deputy Speaker and Omoro County MP, from Uganda facilitated the discussions that were submitted at the ACP Parliamentary Assembly. The working group was composed of the President of the ACP Assembly and 12 other Members.
69. The objective of the working group was to facilitate discussions in the Assembly on Post Cotonou with a view to making concrete recommendations to the ACP Council of Ministers and ACP Committee of Ambassadors.

2. OVERVIEW OF THE ACP-EU COMMITTEE MEETINGS

2.1 Committee on Political Affairs

70. The Committee on Political Affairs held its meeting on Thursday, 22nd March 2018, at the European Parliament. The Meeting was opened and

presided over by the Co-Chairs (Mrs. Vicky Katumwa, MP and Mr Charles Goerens –Alde, Lu).

71. The Meeting adopted its draft agenda and called on Members to submit remarks on the minutes of the last meeting held on Saturday, 16th December 2018.

ACP-EU Relations Post Cotonou: A strong Parliamentary Dimension

72. The Assembly thereafter deliberated on the Draft report on ACP-EU Relations Post Cotonou: A strong Parliamentary Dimension. The following recommendations were made by Members of the European Parliament with regard to the Post Cotonou relationship-

- a) Preserving the legally binding overarching ACP-EU framework in order to build on the acquis and its achievements;
- b) Guaranteeing the parliamentary, legal and operational autonomy of the JPA in the post- Cotonou agreement;
- c) Including representatives of national opposition parties in the JPA, thereby enabling better parliamentary scrutiny and guaranteeing the independence of the JPA;
- d) Ensuring that any post-Cotonou agreement allows for proper information exchanges and synchronisation of activities;
- e) Striving for transparency;
- f) Ensuring a greater sense of partnership and equality between the (support) structures of the two partners;
- g) Guaranteeing stable, predictable funding, especially for the ACP Parliamentary Assembly and the ACP Co-Secretariat;
- h) Strengthening the ACP Secretariat JPA Unit as the secretariat that coordinates the Assembly so as to allow institutional memory to be used and to provide support for the ever-changing ACP parliamentary membership;

- i) Establishing a system where ACP members can meet on their own regularly, in the same way as their MEP colleagues can. This could be in a regional setting.
 - j) Protecting the pursuance of parliamentary diplomacy, notably through JPA fact-finding missions and election observation missions;
 - k) Setting the 2030 Agenda and its SDGs, the European Consensus on Development and Agenda 2063 as the focal point of the JPA's activities;
 - l) Guaranteeing a multi-stakeholder approach at all relevant stages of ACP-EU activities.
73. The ACP Member states stressed the need for Consideration of the existing ACP framework to remain the “centre of gravity” for a future partnership that will cover all three regions of Africa, the Caribbean and the Pacific island states while reinforcing the role of each one of them through the proposed legally binding regional compacts.
74. The ACP group further called upon the JPA's Member States to guarantee consistent and predictable funding for the ACP Parliamentary Assembly and Co-Secretariat, to improve the overall capacity of the JPA.
75. The ACP emphasized reinforcement of the political dimension of the CPA should as a prerequisite for the setting-up of the new future partnership.
76. ACP states stressed that the JPA should be fully involved in the negotiations for a reinforced political ACP-EU partnership after 2020 and that the role and prerogatives of the JPA should be redefined in order to maximise its efficiency and guarantee its legal and operational autonomy.

The fight against Cyber Crime and Drug Trafficking

77. Delegates exchanged views on the subject, noting that Cyber Crime and Drug trafficking is a security threat and a barrier to human rights and further, the crime undermines societal structure, enhances violence and criminal activity such as money laundering and human trafficking.
78. Delegates were informed of the emergence of the dark net which is an anonymous encrypted online network and whose websites cannot be easily traced.
79. The presenter Mr. Tofik Murshudlu, Chief Implementation Support Section (ISS), Organized Crime Branch, Department of Treaty Affairs, United Nations Office on Drugs and Crime (UNODC) informed delegates that most cyber-attacks are orchestrated from the dark net platform and the trend is posing a security challenge. He informed delegates that the world needs to come up with new and effective approaches to curb abuse of the dark net.
80. The presenter informed delegates that in as much as Interpol is present in 192 jurisdictions across the world, the battle to get rid of criminals from the dark net may require undercover use of undercover police to be embedded in the dark net web with the sole purpose of smoking the criminal out.
81. Approaches such as engaging google, Facebook, 360 in china and similar online platforms on the need to partner to fight the dark net criminals were discussed.
82. The Presenter informed delegates that the dark net has become the principal platform for perpetration of organized crime. He stated that while the dark net can be used to bring positive change especially in jurisdictions where free speech is curtailed and peoples freedoms are suppressed, he noted the continued abuse of the dark net is overriding the little positives that may exist in the use of dark net.

83. Mr. Neil Walsh, U.N Chief of the Cybercrime and Anti-Money Laundering Section took delegates through statistics obtained from the U.N and partner organizations of proceeds of organized crime stating that in the year 2009, USD 870B was generated from organized crime which equals 1.5% of global GDP. He further broke down the statistics and revealed the amount of money generated by some common transnational organized crime as follows:

- | | |
|-------------------------------------|------------------|
| a) Drug trafficking | -USD 320B |
| b) Human trafficking | -USD 32B |
| c) Smuggling of migrants | -USD 6.6B |
| d) Illicit trading of firearms | -USD 320 Million |
| e) Trafficking in natural resources | -USD 3.5B |

84. The presenters informed the delegates that in order for the world to defeat organized crime there's need for nations to-

- Promote criminal intelligence led policing;
- Adopt special investigative techniques;
- Promote inter agency cooperation at the national level;
- Encourage cross border cooperation; and
- Strengthen regional, inter-regional and international cooperation.

85. The rapporteurs were informed of the huge task they have of researching on this subject and reporting to the assembly. They were asked to put their report in a language understandable by non-experts on this subject despite its complexity.

Role of Parliaments in Monitoring the Work and Actions of United Nations (U.N) Peace Keepers

86. Delegates exchanged views on the role of Parliaments in Monitoring the Work and actions of United Nations (U.N) Peace keepers. The Presenter,

Mr. Rory Keane, head of the UN Liaison Office for Peace and Security informed delegates that The United Nations Liaison Office for Peace and Security was created to ensure that the UN and its partners such as E.U work in partnership across the globe to prevent conflict, to keep peace and to sustain peace. This is done through the formal, institutionalized channels such as ambassadors meeting with the Security Council as well as direct engagement between the liaison office and partners such as the EU and particularly the European External Action Service (EEAS).

87. Mr. Keane informed delegates that U.N peace keeping troops are deployed at the pleasure of the various troop contributing states and that the U.N acknowledges and appreciates the troop contributing states for making peace keeping efforts successful in the various missions that the U.N has had.
88. Delegates were informed that while the troops are seconded to the U.N forces, it is the responsibility of the parliaments of troop contributing nations to ensure accountability of troops e.g. on matters of human rights abuse, sexual exploitation, corruption etc. Mr. Keane stated that troop contributing countries must have zero tolerance to such matters.
89. Where crimes have been committed by the U.N peace keepers, judicial processes should be encouraged to address the crime and make the perpetrators accountable. Further countries should consider establishing a trust fund for victims of such crimes and offer support for the victims.
90. Delegates who made contributions informed the meeting that their national parliaments are involved in deployment of their troops to the U.N peace keeping force. They further revealed that responsible cabinet ministers/secretaries appear before relevant parliamentary committees to respond to matters relating to U.N peace keepers.
91. Haiti's delegate asked the U.N representative to give the U.N mission in Haiti a timeline leading to its conclusion and withdrawal of troops. He said the Mission has been unending with its name changed several times.

The delegate expressed concern over alleged abuses by the U.N troops against the local population.

92. During deliberations, it came out clear that most ACP countries don't have very strong legislative frameworks to bring to account troops involved in crime or human rights abuses. Mr. Keane asked ACP countries to strengthen their legislative framework to be able to bring to account errant troops.

Political Dialogue Under Article 8 of the Cotonou Agreement

93. The meeting was informed that the dialogue is on mutual matters such as trade, business climate and investment, terrorism, organized crime etc. The meeting was informed of the importance of ensuring that the dialogues are strategic and focused on internal challenges of ACP. The European External Action Service (EEAS) revealed that dialogue has taken place with half of ACP countries and efforts to reach the remaining ACP countries are ongoing.
94. The EEAS stated that dialogue on such mutual matters can only be successfully held where there is strong regional representation. The importance of the dialogues to take place at both political and executive level was emphasized. Further it was deemed critical that dialogue addressing wider regional issues should be extended to multilateral partners. The meeting was informed of the importance of ensuring the dialogues and outcomes of it find way to relevant international platforms for a wider buy in.
95. The European External Action Service stated that among the issues being dialogued is the relationship of the EU and ACP post Cotonou. The EEAS informed the meeting that the EU and ACP are currently in the process of defining their expectations post Cotonou with negotiations to continue later in the year.
96. The other important aspect of the dialogue is the state of Economic Partnership Agreements (EPAs) between the two blocs. The E.U reiterated

the importance of discussing the EPAs openly to ensure the outcome is agreeable and of benefit to all for the intended impact to be achieved.

97. Other matters that were identified as critical for the dialogues are;
- a) Need for balanced immigration policies;
 - b) Framework for asylum seekers;
 - c) Demographic growth in ACP;
 - d) Creation of employment for the youth; and
 - e) Systematic dialogue to deal with human rights matters.

The meeting was informed that dialogue on the above matters ~~is~~ has commenced ahead of the post Cotonou era.

98. The meeting was informed of the success in dialogue over the Gabon election where after a year of dialogue, the country agreed to effect electoral reforms as well as entrench democracy, good governance and human rights.

99. The meeting was also informed that dialogue on the political situation in Burundi had been initiated with the view of normalization of relations between the E.U and Burundi. So far the E.U has suspended budgetary support of 96 M Euros to Burundi.

100. Delegates thereafter made comments and exchanged views on the subject. Members who spoke largely agreed with the dialogues initiative terming it critical in having a strong post Cotonou relationship.

Post Cotonou Negotiating Mandate and Perspectives

101. Delegates exchanged views on the subject with a focus on partnerships especially with regard to international relationships, institutional and bilateral relations.

102. The following views arose with regard to the subject;

- a) Engagement of regional blocs in negotiating for post Cotonou;

- b) Nature of relationship between the E.U and Pan-African Parliament. EALA, EAC, SADC and other regional blocs;
- c) Nature and frequency of ACP meetings;
- d) Whether there's need for amalgamation of EDF cooperation;
- e) Financial autonomy of ACP secretariat;
- f) Role of E.U and ACP in strengthening parliaments and whether funding will be available; and
- g) Staffing of ACP Secretariat.

103. The presenter from E.U Mr. Dominica Rosa spoke of ACP unity reiterating that the unity of ACP states post Cotonou is solely the responsibility of the ACP group. He stated that E.U's interest is to consider common interests, threats, values etc. In this regard the E.U. group is proposing reduction of ACP-EU meetings and instead engagement of ACP states in the aforementioned manner. Mr. Rosa said the ACP-EU meetings if need be can be convened in an Ad-Hoc manner.

104. Regarding funding, Mr. Rosa informed the meeting that members need to go beyond voluntary contributions of member states and come up with a new financing mechanism/framework. Aside from EDF, multi financial framework to support different partnerships will be discussed in future meetings.

105. Mr. Rosa further stated that staffing of ACP secretariat with the view to strengthening it is the responsibility of the ACP group. Mr. Rosa affirmed that under the U.U proposal of the relationship between the E.U and ACP post Cotonou is to have a direct engagement at the Country, sub regional, regional and continental levels. According to the E.U, this is a balanced proposal based on common challenges to peace, management of natural resources, migration etc. E.U noted that the aforementioned challenges may not be common across all ACP states and may affect a group of ACP member states more than other.

106. The approach by the E.U regarding the post Cotonou relationship was mentioned to be as a result changes experienced in the world including in the E.U. The meeting was informed that some E.U countries don't relate with the Cotonou agreement as much as others and therefore see no value of it. Other countries want to work on thematic issues on a case by case while others want the relationship done away with. The E.U representatives informed the meeting that the E.U post Cotonou position is purposely for more impact in relations between the E.U and ACP.

The Fight Against Corruption in the Judicial Sector: Case Study of Italy

107. Mr. Antonio Balsamo, Deputy Prosecutor General of the Supreme Court made a presentation regarding the fight against corruption in Italy's judicial Sector. Mr. Antonio informed the meeting that the statistics on corruption in Italy's judicial sector may be subject to zero tolerance in the judiciary for the corruption offences committed by "colleagues", once uncovered; he however stated that it is necessary to address the problem in a more comprehensive way.

108. The meeting noted the presentation by Mr. Balsamo and commended the ongoing fight against corruption in Italy's Judicial Sector.

2.2 Committee on Economic Development Finance and Trade

Co-Chairs' announcements

109. The Co- Chair made announcements from the Bureau of the JPA as follows:

- a. Two topics for urgent resolution were:
 - Urgency on new measures to fight international terrorism; and
 - The humanitarian crisis in South Sudan.
- b. Two topics for debates without resolutions were:
 - Fighting Xenophobia, racism and discrimination; and

- The global compact on migration.

110. The topic for the Youth Conference was reception and integration of immigrants in Europe.

111. The deadline for submission of the urgent resolutions was Friday 18th May 2018 at noon while the deadline for submission of Questions requiring oral response was Monday 9th April 2018.

Small and Medium Enterprises (SME) development at the heart of economic transformation in ACP countries

112. The Committee was informed that Honourable Sangeet Fowdar of Mauritius would be the Co-Rapporteur for the ACP while Mr. Nicolas Bay would be the co-rapporteur from the European Parliament. An exchange of views on the working document would be presented by the co-rapporteurs in June 2018, a draft report would be presented in October 2018 and a resolution would be adopted in December 2018 at the 36th Session of the Joint Parliamentary Assembly.

European Investment Bank (EIB): investments in ACP countries

113. Mr. Richard Amor and Emmanuel Pinto from the EIB made a presentation on the Bank as the largest multilateral lender and borrower in the world that operates in over 160 countries under ACP partnerships of the Cotonou agreement. A 3.7 B endowment is used to support eligible projects as a revolving fund. Apart from making funds available through debt and equity, the EU also provides interest rate subsidies and technical assistance.

114. 59% of the ACP net portfolio relates to the private sector and supports small and medium enterprises and midcaps, corporates, project finance, agriculture, digital economy, health, education, financial sector capacity,

credit lines, investment in microfinance, investment in equity and boosting skills.

115. Vital infrastructures that have been supported include water, sanitation, energy, transport, ICT, urban development, foundations for sustainable development and Public Private Partnerships.

116. Selection of 2017 ACP/OCTs projects

Climate action: the CDB Climate Action Framework Loan of 100M Euros; Caribbean (Regional) provides a line of credit to Caribbean Development Bank to part finance small-scale projects that will contribute to climate change mitigation, adaptation and resilience.

Access to clean water: Fiji water and wastewater project worth 65M Euros has assisted in building and upgrading infrastructure to improve access to safe water and sewerage systems in the greater Suva area by the development of a new water intake, treatment plant and pumping station.

Energy: a project worth 72m Euros on extension of the existing 140 MW Olkaria I geothermal power plant ^{in Kenya} with an additional 70 MW turbine, the necessary wells, steam-gathering system and interconnection facilities.

Transport networks: construction of a Bus Rapid Transit (BRT) line of 18.4 kilometers and 23 stations in the urban area of Dakar, Senegal including 23 stations and the acquisition of 141 articulated buses.

117. Key priorities of the EIB were SDGs support; climate action through mitigation, renewable action and adaptation; migration through economic resilience and root cause analysis; economic diplomacy and gender through women empowerment and access to credit.

118. On Post Cotonou, the EIB clarified that it intends to continue the ongoing support through ratification of a legally binding single institutional framework by all ACP countries so that the implementation of the projects which was in the middle of the lifecycle would not be affected.

119. On their part, the ACP counterparts acknowledged the projects done by EIB. It was however agreed that more information on the manner of disbursement of funds should be availed through parliaments to enable oversight on the implementation aspect of the projects.

The WTO Eleventh Ministerial Conference, 10-13 December 2017, Buenos Aires (Argentina): outcomes and implication for the ACP-EU Trade Cooperation

120. The European Commission led the Committee on the exchange of views on the outcome of the WTO Eleventh Ministerial Conference. The EU was disappointed by the fact that there was a stalemate due to a lack of political engagement. The WTO has rules that are largely enforceable were under threat as one of the Members (the US) is blocking the appointment of new appellate body Members. The WTO was in the process of seeking solution of the problem and improve the system as long as its core elements are preserved.

121. The WTO negotiations were in paralysis as there was limited avenue for multilateral negotiations going on in Geneva Switzerland on matters pertaining fisheries subsidies. The EU has made proposals on matters such as domestic support in Agriculture but barely got consensus in the meeting.

122. Members have engaged in joint efforts on various issues of large interest e.g E-Commerce and investment facilitation which are an impetus to development. Unfortunately, very few ACP countries were involved in the joint statements.

123. The current option was to engage in a plurilateral agreement where WTO member countries would be given the choice to agree to new rules on a voluntary basis until such a time that it would be possible for a multilateral agreement to take effect.

124. The stalemate would be broken by development of new approaches on approaches to special and differential treatment of developing countries to enable them full participate in global trade. The EC decried the fact that the existing rules were detrimental to development and would explore evidence based approach on implementation of the special and differential treatment and encouraged the ACP counterparts to bring forward views through their Parliaments.

The impact of the illegal trade in phytosanitary products, seeds and other agricultural inputs on ACP Countries' economies

125. The Committee considered the draft report by the Co- rapporteurs Lucie Milebou Aubusson ép Mboussou (Gabon) and Maria Arena on the impact of the illegal trade in phytosanitary products, seeds and other agricultural inputs on ACP Countries' economies.

126. It was emphasized that ACP countries should strictly adhere to standards provided by WHO and FAO through coordinated strategy on education on the technical use of PPIs. Rigorous training of young people and farmers to understand the technical characteristics of these products and adequate legislation and oversight on the proliferation of these illegal products on ACP markets.

127. The Hon. Lilian Gogo, MP from Kenya was categorical that on horticultural products Kenya exported 40 percent of horticultural products. There was need to have emphasis on research and development on various aspects of agro economy to improve quality of produce to the EU market and implored fellow Parliamentarians to enact laws on stiffer penalties on persons engaged in illegal trade of phytosanitary products bearing in mind the side effects including diseases. Finally, law enforcement agencies were urged to enforce the existing laws so as to streamline the trade in agricultural produce.

128. Resolutions on the matter would be voted upon in the next plenary session in Brussels in June. The deadline for tabling of amendments on the resolution would be Wednesday 16th May, 2018 at noon.

Fiscal cooperation: ACP countries on the EU list of non-cooperative tax jurisdictions

129. The Head of Secretariat of the Global Forum on transparency and exchange of information for Tax Purposes (OECD), Ms. Monica Bhatia lauded progress at international level by various countries to address tax fraud, tax avoidance and aggressive tax planning.

130. She explained that OECD is mandated to ensure effective implementation of tax transparency standards namely the standard for exchange of information on request and the standard for automatic request of information. A total of 149 countries including 44 ACP Countries comprise the countries have committed to implement the standard for exchange of information on request, while 102 countries which have a financial centre including 19 ACP Countries have committed to implement the standard for exchange of information on request.

131. The Base erosion and profit shifting (BEPS) project is aimed at combating tax avoidance by Multinational Corporations which exploiting gaps and mismatches in tax rules in the countries of operations. In 2015, OECD released an action plan with 15 items and set up a framework to address this strategy, ratified by 111 countries including 27 ACP Countries.

132. The *Panama Papers* highlighted in 2016 on tax evasion matters created the impetus for G20 Finance ministers to agree on the need for the OECD to develop an objective criterion to identify non cooperative tax jurisdictions which was endorsed in July 2016. These criteria restricted to tax transparency include: that the jurisdictions should be largely compliant or compliant against their peer review; committed to implement the standard for automatic request of information commencing the year

2018 and signed the OECD and Council of Europe (Multilateral) convention designed to promote cooperation between tax authorities. A country that satisfied at least two of the criteria was therefore not on the list of non-cooperative tax jurisdictions.

133. Ms. Bhatia went on to explain that the EU has other criterion which include the tax transparency which is aligned to the G20 criteria; whether the country has joined the OECD BEPS inclusive framework; and fair taxation.

134. The European Commission explained that it had focused on harmonizing its criterion with that of G 20 and countries that had undertaken commitment to the criterion through their legislation had been removed from the non-cooperative tax jurisdictions list and frequent updates would be done to reflect the improvements on the various jurisdictions in tax compliance. The Commission reiterated its focus on assisting jurisdictions attain its commitments.

135. Delegates from the ACP-EU Member states emphasized on the need to focus on the objective of development as a pillar of the ACP-EU cooperation. Most countries had narrow fiscal economies and had undergone reputational damage and limited the affected countries from participating in the global economy. It was agreed that close consultations should be carried on the matter between ACP and EU would take place prior to listing of the countries.

Economic Partnership Agreements: State of play of negotiations and implementation

136. The European Commission explained that very little progress had taken place on the matter and presented baby steps that had been made in implementation. Several negotiations on meetings were currently ongoing. There had been a meeting between the Trade Subcommittee and ACP revealed that Certification laboratories and the focus on value added

activities were two key factors to be taken into account in implementation of EPAs.

137. The Commission acknowledged EPAs as one of the driving factors of the launching of the Continental Free Trade Agreement in Kigali, Rwanda. The Commission will deepen the existing EPA in Southern and Eastern Africa in trade facilitation, customs cooperation, technical and sanitary products standards. The EPA implementation plans for Cameroon in Central Africa were in progress.

138. In the Caribbean, the Commission would step up cooperation on cultural services and geographic indications. There was progress on the accession progress of Samoa in the Pacific with expectations that the Solomon Islands would be making a request to join the agreement.

139. There were ongoing talks on having a monitoring system with the various geographical zones in Africa and joint reports would be submitted. It was expected that the Monitoring would include the civil society as provided for in the Cotonou agreement and would take place on a regular basis.

140. The ACP countries highlighted the need to fast track the negotiation implementation process so as to meet the deadlines set by the European Union and iron out the conflicts among the proposed EPAs and the existing agreements among regional bodies such as COMESA.

European Development Funds: State of play of the mid-term review

141. The European Commission briefed the Committee on the state of the EDF. The meeting noted that the agreements that had taken place in Paris and Addis Ababa had been implemented.

142. There was however need to deepen dialogue on priority issues such as sustainable development, job creation, renewable energy, climate change, and the link between security development and migration. A proposal on the training program would be presented to the Development Committee in April 2018 and would be shared with the ACP Countries. 29 indicative

national programs and 5 regional programs would be affected by the midterm review.

Follow-up by the Commission on the resolution adopted by the ACP-EU Joint Parliamentary Assembly on the Blue economy: opportunities and challenges for ACP States

143. The European Commission updated the Committee on state of implementation of the Blue Economy as taken in December 2017 in Haiti. Preference had been given to the support of regional fisheries management organizations such as the 15 Million Euro fisheries program in West Africa which has focused on fighting unregulated, illegal and declared fishing activities as well as mobilization of training by institutions of higher learning.

144. It was clarified that support to regional management of facilities was usually combined with elements of Blue Economy such as coastal and marine biodiversity, capacity building through education, training and research. The Commission had partnered with the Swedish Cooperation to support a 35 Million Euro program in the Pacific to bring together regional agencies and Universities and NGOs to deal with sustainable management of fisheries with a view to ensure food security and economic growth so as to promote the development of youth in the Blue economy.

2.3 Committee on Social Affairs and the Environment

145. The Meeting, held on Thursday, 22nd March 2018, at the European Parliament, was opened and presided over by the Co-Chairs (Eritrea and European Parliament).

146. The Meeting adopted its draft agenda and called on Members to submit remarks on the minutes of the last meeting held on Saturday, 16th December 2018, in Port-au-Prince, Haiti by the end of the day or else they shall also be considered adopted.

147. The Chair reported on the decisions adopted by the Bureau for the 35th Session of the JPA as follows:

- The 35th Session of the JPA will be held in Brussels from 18th to 20th June 2018.

The two themes for urgent resolution are:

- Urgency of new measures to fight international terrorism
- Humanitarian crisis in South Sudan

The deadline for submission for urgent resolutions is Friday, 18th May 2018, at noon CET.

The Bureau also decided to organize the following debates-

- Keynote debate on Demographical growth: challenges and opportunities.
- Two debates on Fighting xenophobia, racism and discrimination, and Global impact of migration.
- The Youth Conference topic will be the reception and integration of migrants in Europe.

The deadline for submission of questions requiring oral answers by the Council and European Commission will be Monday, 9th April 2018, at noon CET.

Draft Report: The Social and Environmental Consequences of Urbanisation, particularly the Sound Management of Industrial and Domestic Waste in ACP Countries

148. The Meeting considered the Draft Report which was rapportuered by Hon. Halifa Sallah (Gambia) and Ms. Eleni Theocharus (European Parliament).

149. In her statement as read by the Chair, Ms. Eleni Theocharus stressed on the benefits of proper waste management which include creation of jobs and economic growth leading to the achievement of the Sustainable Development Goals (SDGs). Furthermore, she emphasized on the importance of educating the people and teaching them appropriate waste management techniques as a way to encourage them to be part and parcel of managing the problem.

150. Hon. Halifa Sallah focused on legislation and policy citing countries such as Rwanda who are doing well in managing waste due to, in part, sound legislation. He stated that steps have been taken by various stakeholders to improve waste management but the response is still inadequate hence the urgent need for the ACP-EU to develop a partnership in addressing this issue by implementing the actions and recommendations in the report.

151. The deliberations by Members highlighted the need for proper planning and infrastructure to accommodate rising urbanization.

152. The deadline for submission of amendments to the Resolution is Wednesday, 16th May 2018, at noon CET. The Resolution will be adopted at the 35th Session of the JPA scheduled for June 2018.

Analysis of the Impact and Effectiveness of the EU Emergency Trust Fund for Africa on Key Countries of Origin and Transit of Migrants

153. The Meeting exchanged views with Gian Marco Grindatto, Advocacy Manager, Global Health Advocates, Francesca Minniti, Policy and Advocacy Coordinator, Concord- the European Confederation of Relief and Development NGOs, and Raphael Shilhav, EU Migration Policy Advisor for Oxfam International.

154. The EU Emergency Trust Fund is a tool put in place by the European Commission and Member States to respond to the root causes of irregular

migration and displaced persons in Africa and aims to foster stability and contribute to better migration management.

155. The Fund focuses on economic development programmes, strengthening resilience of local communities, improving migration governance and management, and supporting improvements in overall governance.

156. The objective of the exchange of views was to see if the Fund is keeping up with its promises and to suggest and identify areas for improvement.

157. The following issues emerged from the discussion:

- a) The Fund falls under Official Development Assistance (ODA). This in itself creates a conflict as the primary objective of ODA is eradicating poverty which differs from the objectives of the Fund outlined above.
- b) The Fund is governed by boards whose main actors/decision makers are the EU and Member States. African representatives sit in the board as observers with no decision making.
- c) There is no strong role for parliamentarians in scrutiny, accountability and decision-making in the Fund.
- d) The Speakers presented case studies from Niger and Ethiopia and came up with the following conclusions:
- e) The Fund is a tool that can bring about positive development outcomes when it is not tied with the political push from the European Union to cooperate on migration control.
- f) The general governance of the Fund is opaque with low engagement from civil society and local communities.
- g) The priorities of the Fund do not respect the aid effectiveness principles, example alignment with country priorities.
- h) The Fund is an outcome of an unbalanced partnership with EU imposing its political agenda on migration. This is having negative

effects on regional mobility even in countries with free movement areas such as ECOWAS.

- i) It also depicts the worrying trends that have characterized EU development policies in the last years, namely:
- Risk of aid diversion to focus on migration rather than poverty eradication
 - Conditionality of aid based on recipient country cooperation on migration control.

The Speakers gave the following recommendations:

- Aid should not be on conditionality of cooperation with partner countries on migration control.
- The Fund should respect aid effectiveness principles
- EU should recognize the positive effects of migration and promote safe migration.
- The worrying trends highlighted should be arrested.

158. The European Commission, in their response, dispelled the notion that local actors are not involved in determining and executing the Fund's programmes. They ascertained that they work closely with local governments and civil society, they respect the fundamental values of the EU, and that their programmes assist not only the need of the refugees but also of the host communities.

159. It is important to note that the issue of Kenya's decision to close Dadaab refugee camp arose during the discussion. Though Kenya is not a member of the Committee, the Chair allowed for a response. Kenya was able to inform the Meeting of the Tripartite Agreement signed by Kenya, Somalia and UNHCR to help Somali refugees in Dadaab begin voluntarily

returning home to designated areas in Somalia that are deemed relatively safe.

Follow up by the Commission on the resolutions adopted by the Joint Parliamentary Assembly on improving access to basic health systems, notably to medicines in the fight against infectious diseases.

160. The Resolution on improving access to basic health systems, notably to medicines in the fight against infectious diseases was adopted during the 34th Session of the JPA.

161. Mr. Kevin McCarthy from the European Commission reported on the follow up of the resolution. He pointed out that their approach is a health system strengthening focus which determines their budgetary allocation, funding at bilateral and global initiative level and programmes undertaken.

162. The focus is on all areas of health system as designated by WHO- access to medicine, affordable medicine, and universal health coverage with quality services, accessible and affordable to all.

163. Mr. McCarthy lauded parliaments for their support through increased allocation of national budgets towards the health sector for intellectual property, accessibility to health services, transfer of knowledge and research mapping to meet the needs of the country. In addition, health financing and health security are interest areas that are still being looked into. More funding and greater engagement with key stakeholders such as the UN are needed to achieve these policy areas.

164. During the discussions that followed, Members agreed on the need to develop new strategies to take resolutions back to their home countries for approval and use the resolutions as instruments for policy making and legislation.

Combating the Destabilization Effects of Wildlife Trafficking in ACP Countries and Promoting the Implementation of the External Dimension of the EU Action Plan against Wildlife Trafficking

165. The Meeting appointed Hon. Gilbert S. Mangole (Botswana) and Ms. Catherine Bearder (European Parliament) as co-rapporteurs for this report.

166. The Meeting then had a first exchange of views with Mr. Ofir Drori, Founder of the Eagle Network. In his presentation, Mr. Drori pointed out the following: -

a) Extinction is real

- An elephant is killed every 15 minutes;
- Gorillas will disappear in 15 years;
- 70% of lions were lost in two decades;
- 90% of rhinos were lost in 40 years;
- In 2006, we lost the Western Black Rhino was; and
- In 2018, we lost the last male Northern White Rhino.

b) The enemy is also real

167. Wildlife trafficking is now organized crime, transnational in nature and stretching over continents.

168. Mr. Drori gave the case study of Ivory Coast which highlighted the challenges faced in fighting wildlife crime.

169. He said this was an organized crime that is growing fast and spreads over many activities- international wildlife trafficking, drugs, money laundering, trafficking persons for prostitution, guns-war crimes, and

corruption. There is enormous damage to wildlife and people. It also risks destabilizing governments, eroding the rule of law and undermining border control.

170. There have been many seizures in other countries such as Kenya, Mozambique, Asia and Europe. However, seizures without arrests are an enforcement failure.

171. The presenter emphasized that fighting wildlife crime is possible. The tools exist to fight corruption within the enforcement and legal system. It is possible to fight organized crime and effectively attack wildlife criminal syndicates.

172. Mr. Drori then spoke about the European Action Plan. He termed it as sound and ambitious but implementation is the real challenge. The key is not to celebrate implementing the easy action points but to focus on those with tangible results that can be measured and make a difference in the fight against wildlife crime.

173. Mr. Drori gave the following recommendations: -

There is need to establish focus points to act as liaison centres for coordination of action;

- Wildlife law enforcement attachés should be stationed in countries in Africa that are combating wildlife trafficking;
- Put pressure to report and publish arrests, prosecutions and convictions on wildlife crime; and
- Action 8 on combatting corruption needs to be separate and special attention given.

174. The Members, in their deliberations, stressed on the need for a campaign to ban consumption of goods made from illegal wildlife trade.

Environmental Crime: A Growing Threat to Natural Resources, Peace, Development and Security.

175. Exchange of views with Christian Nellemann, author of the UNEP Report “The Rise of Environmental Crime” and the European Commission.

176. Mr. Nellemann provided an overview of environmental crime and its implications on security, development, migration and many other issues the EU is facing. Environmental crime is a much wider form of transnational crime, increasingly massively by 5-7% every year. Environmental crime has five big sectors: -

- Wildlife crime
- Illegal trafficking in electronic waste and dumping
- Illegal mining and trading in oil
- Illegal fisheries crime
- Illegal logging and forestry crime

177. Countries are losing vast resources through the aforementioned in form of tax fraud, cybercrime, money laundering and terrorism.

Impact and implications of environmental crime are: -

- a) Climate goals- deforestation is responsible for 10-12% of global emissions
- b) Bio-diversity- extinction of animal and plant species
- c) Economy- illegal trade/black market provides the same goods at a cheaper price thus affecting market demand and supply.
- d) Development and security- organized crime is multifaceted. It has been linked to activities such as cybercrime and financing terrorist activities which poses security threats.

178. Mr. Nellesmann recommended access to proper information and analysis in order to design holistic solutions to fighting environmental crime.

179. The Members suggested that environmental crime should come before the International Criminal Court due to the criminal networks and powerful gangs involved.

Urgent and Topical Subjects

180. The Co-chair opened the floor for discussion on the Report presented by cbm and Young Professional Networks on sustainable investments for youth and young people with disabilities: putting youth at the heart of EU-ACP relations.

181. The Meeting resolved that a statement will be issued by the Co-chairs in support of this topic.

182. The next meeting of the Committee will be on Saturday, 16th June 2018, in Brussels.

183. The Meeting closed with the presentation and screening of the movie: The last animals by Kate Brooks. The documentary follows the conservationists, scientists and activists battling poachers and criminal networks to save elephants and rhinos from the edge of extinction.

DATES OF NEXT MEETINGS

184. The 50th Session of the ACP Parliamentary Assembly and the 35th Session of the ACP-EU Joint Parliamentary Assembly would be held in Brussels, Belgium, from June 18-20, 2018.

RECOMMENDATION

185. The delegation commends this report to the Houses of Parliament for information and noting.

END

ANNEXES

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ACP-EU JOINT PARLIAMENTARY ASSEMBLY
ASSEMBLEE PARLEMENTAIRE PARITAIRE ACP-UE

Committee on Political Affairs

ACP_OJ(2018)0322

DRAFT AGENDA

Meeting

Thursday 22 March 2018, 09:00-12:00 and 14:30-17:30

Brussels

Room ASP 1 G-3

1. **Adoption of agenda** OJ – AP 102.402v01-00
2. **Approval of minutes of meeting**
 - 16 December 2017 PV – AP102.399v01-00
3. **Co-chairs' announcements**
4. **ACP-EU relations post-Cotonou: A strong parliamentary dimension**
 - Consideration of draft report DR – AP102.400v01-00
5. **The fight against cybercrime and drug trafficking**
 - Exchange of views with Tofik Murshudlu, Head of the Implementation Support Section at the Organized Crime and Illicit Trafficking Branch and Neil Walsh, Head of the Cybercrime and Anti-Money Laundering Section at the Organized Crime and Illicit Trafficking Branch, Vienna (UNODC)

6. **The role of Parliaments in monitoring the work and actions of UN Peace Keepers**
 - Exchange of views with Rory Keane, Head of the UN Liaison Office for Peace and Security

7. **Political dialogue under Article 8 of the Cotonou Agreement**
 - Exchange of views with the European External Action Service

8. **Post Cotonou: negotiating mandate and perspectives**
 - Exchange of views

9. **The fight against corruption in the judicial sector: case study of Italy**
 - Exchange of views with Marco Mescolini, deputy public prosecutor, Bologna

10. **The political situation in ACP and EU Member States**
 - Exchange of views

11. **Any other business**

13. **Date and place of next meeting**



ACP-EU JOINT PARLIAMENTARY ASSEMBLY
ASSEMBLEE PARLEMENTAIRE PARITAIRE ACP-UE

Committee on Economic Development, Finance and Trade

ACP_OJ(2018)0322_01

DRAFT AGENDA

Meeting

Thursday 22 March 2018, 9.00-12.00 and 14.30-17.30

Brussels

Room: Altiero Spinelli A3G-3

1. **Adoption of agenda** OJ – AP102.404v01-00
2. **Approval of minutes of meeting** PV – AP102.398v01-00
 - 16 December 2017 in Port-au-Prince (Haiti)
3. **Co-Chairs' announcements**
4. **Small and Medium Enterprises (SME) development at the heart of economic transformation in ACP countries**
 - Appointment of co-rapporteurs
 - Exchange of views with experts
5. **European Investment Bank (EIB): investments in ACP countries**
 - Exchange of views
6. **The WTO Eleventh Ministerial Conference, 10-13 December 2017, Buenos Aires (Argentina): outcomes and implication for the ACP-EU Trade Cooperation**
 - Exchange of views

7. **The impact of the illegal trade in phytosanitary products, seeds and other agricultural inputs on ACP Countries' economies**
Co-rapporteurs: Lucie Milebou Aubusson ép Mboussou (Gabon) and Maria Arena
 - Consideration of draft report DR – AP102.403v02-00
 - Exchange of views
8. **Fiscal cooperation: ACP countries on the EU list of non-cooperative tax jurisdictions**
 - Exchange of views with the European Commission / OECD
9. **Economic Partnership Agreements: State of play of negotiations and implementation**
 - Exchange of views with the European Commission
10. **European Development Funds: State of play of the mid-term review**
 - Exchange of views with the European Commission
11. **Follow-up by the Commission on the resolution adopted by the ACP-EU Joint Parliamentary Assembly on the Blue economy: opportunities and challenges for ACP States**
 - Exchange of views with the European Commission
12. **Any other business**
 - Urgent and topical subjects
13. **Date and place of next meeting**



ACP-EU JOINT PARLIAMENTARY ASSEMBLY
ASSEMBLEE PARLEMENTAIRE PARITAIRE ACP-UE

Committee on Social Affairs and the Environment

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DRAFT AGENDA

Meeting

Thursday 22 March 2018, 9.00-12.00 and 14.30-19.30

Brussels

Room Altiero Spinelli A5G3

1. **Adoption of agenda** OJ – AP102.411v01-00
2. **Approval of minutes of meeting** PV – AP102.412v01-00
 - 16 December 2017 in Port-au-Prince
3. **Co-Chairs' announcements**
4. **The social and environmental consequences of urbanisation, particularly the sound management of industrial and domestic waste in ACP countries**
Co-Rapporteurs: Halifa Sallah (Gambia) and Eleni Theocharus (European Parliament)
 - Consideration of draft report DR –AP102.40801-00
5. **Analysis of the impact and effectiveness of the EU Emergency Trust Fund for Africa on key countries of origin and transit of migrants**
 - Exchange of views with:
 - Gian Marco Grindatto, Advocacy Manager, Global Health Advocates

- Francesca Minniti, Policy and Advocacy Coordinator, Concord – the European confederation of Relief and Development NGOs
 - Raphael Shilhav, EU Migration Policy Advisor for Oxfam International
6. **Follow-up by the Commission on the resolutions adopted by the Joint Parliamentary Assembly on:**
- **Improving the access to basic health systems, notably to medicines in the fight against infectious diseases**
7. **Environmental crime: a growing threat to natural resources, peace, development and security**
- Exchange of views with:
 - Christian Nellemann, author of the UNEP Report “The Rise of Environmental Crime”
 - European Commission
8. **Combating the destabilizing effects of wildlife trafficking in ACP countries and promoting the implementation of the external dimension of the EU Action Plan against wildlife trafficking**
- Appointment of co-rapporteurs
 - First exchange of views with Ofir Drori, founder of the Eagle Network
9. **Urgent and topical subjects**
- Exchange of views
10. **Any other business**
11. **Date and place of next meeting**
12. **Presentation and screening of the movie: *The last animals* by Kate Brooks**