

ACP - EEC CONSULTATIVE ASSEMBLY

FOURTH ANNUAL MEETING

SUMMARY REPORT
OF THE PROCEEDINGS
OF FRIDAY 12 OCTOBER 1979

LUXEMBOURG

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CA/79

SITTING OF FRIDAY 12 OCTOBER 1979

IN THE CHAIR:

Mr Tandeng MUNA
President

Mrs Simone VEIL
President

The sitting was opened at 10.10 a.m

1. Implementation of the Lomé Convention (vote)

The first item on the agenda was the vote on the motion for a resolution contained in the report by Mr GIAMA (Doc. ACP-EEC 11/79).

President MUNA reminded the Assembly of the voting provisions contained in Article 14(5) of the Rules of Procedure.

The Assembly adopted the resolution.

2. Situation in Southern Africa (vote)

The next item was the vote on the motion for a resolution tabled by the Joint Committee on Southern Africa (Doc. ACP-EEC/12/79)

The preamble and paragraph 1 were adopted.

On paragraph 2, Mr HAAGERUP and Mr WAWRZIK had tabled amendment No. 3 seeking to replace this paragraph by a new text.

On behalf of the drafting committee, Mr IRMER recommended rejection of amendment No. 3 since paragraph 2 had been adopted in its original wording by the Joint Committee.

Amendment No. 3 was rejected.

Paragraph 2 was adopted.

On paragraph 3, Mr WAWRZIK, Mr VERGEER, Mr HAAGERUP and Mr David TAYLOR had tabled amendment No. 1 seeking to replace this paragraph by a new text.

Again, Mr IRMER preferred the original wording since the lack of precision in the proposed amendment was liable to give offence to the countries at which it was not directed.

Amendment No. 1 was rejected.

Paragraph 3, then paragraphs 4 and 5, were adopted.

On paragraph 6, Mr WAWRZIK, Mr VERGEER, Mr HAAGERUP and Mr David TAYLOR had tabled amendment No. 2 seeking to replace this paragraph by a new text.

Mr IRMER recommended the rejection of this amendment: it was couched in excessively general terms which conflicted with the constant wish of the Joint Committee to name the countries which were the subject of criticism.

Amendment No. 2 was rejected.

Paragraph 6, then paragraph 7, were adopted.

Explaining his vote, Mr DENIS (Communist and Allies Group) considered that especial importance should be attached to the resolution on Southern Africa since it was a political act which would attract widespread attention. He regretted the restraint and timidity which characterized the text. However, he welcomed the adoption of paragraph 6 of the resolution. What counted was the underlying message of the vote: the Communist Group would, therefore, support the resolution.

Mr LUWULIZA-KIRUNDA thought that a new paragraph 8 had been proposed and wondered why the text was not available.

Mr PEARCE said that he would have preferred to see a wider resolution but indicated that his vote must be interpreted as a condemnation of apartheid.

Mr WAWRZIK would vote in favour of the motion for a resolution although the amendments had been rejected because he wished first and foremost to associate himself with the condemnation of apartheid.

The Assembly adopted the resolution.

3. ACP sugar (vote)

The next item was the vote on the motion for a resolution tabled by the Joint Committee on ACP sugar (Doc. ACP-EEC 13/79).

Paragraphs 1 and 2 were adopted.

Mr IRMER, speaking on amendment No. 1 rev., said the wording of the motion for a resolution was the result of a laboriously negotiated compromise.

He therefore rejected all three amendments.

Mr BERSANI spoke out against the fact that an amendment No. 2 had been tabled under the name of himself and others but with the content of which he was in fact not at all in agreement.

Mr DELATTE began by recalling that he had supported the three amendments on the previous day. On the basis that Mr Chasle would want to speak, however, to make new proposals, he would be willing to withdraw these three amendments.

Mr CHASLE proposed that in paragraph 3 the words 'favourable ... to restore their respective quotas' by the words 'in accordance with the criteria jointly agreed by the ACP States and the Community', and in paragraph 5 the words 'to harmonize the levels' by the words 'to take into consideration in approaching the question.'

Mr IRMER said the proposals made by Mr Chasle seemed interesting and represented a good compromise. He would, however, like to have a written text and proposed that the vote on this motion for a resolution be suspended so that the text could be printed and translated, and that the next point on the agenda should be taken meanwhile.

Mr AFOLABI proposed that the vote should be adjourned and the next item considered until the verbal amendments became available in writing.

Mr MICHEL, who was a member of the resolutions committee, said he was as surprised as Mr Bersani had been to see his name against certain amendments. He thought the wording proposed by Mr Chasle was good because it ought to allow the Assembly to achieve something approaching unanimity. He too thought it would be best to wait for a text to be printed and meanwhile to go ahead with consideration of the next agenda item.

Mr TURNER felt that this was an important vote and since there was general agreement on the Mauritian proposals, he suggested that hand-written amendments might be submitted to the chair.

Mr RAINFORD hoped that Mr Turner's proposal would be accepted but suggested otherwise that as two signatories now dissociated themselves from the amendment, the vote might now be taken on the original only. He would, however, prefer the Mauritian proposal to be adopted.

The Assembly decided to adjourn the vote until later, and move on to the next item.

4. Proceedings of the Joint Committee (vote)

The next item was the vote on the motion for a general resolution tabled by the Joint Committee on the proceedings of the Joint Committee (Doc. ACP-EEC 14/79).

The preamble was adopted.

On paragraph 1, Mr NTUNGUMBURANYE had tabled amendment No. 5 seeking to replace this paragraph by a new text.

Mr IRMER, on behalf of the Drafting Committee, said the minds of the committee had long been occupied by the problem of the Lome Convention, and it had drafted the compromised text. Amendments No. 5, changing the text to paragraph 1, and No. 4, inserting a new paragraph 1a, in his view threatened the balance of this compromise, and he called on the Assembly to reject them.

Mr AFOLABI did not agree with the rapporteur's view that the two amendments should be taken together and indicated his support for amendment No. 4.

Amendment N° 5 was rejected.

Mr COHEN, Mr DENIS and Mr OULD DADDAH raised questions concerning amendment N° 4.

Mr AFOLABI felt that there was confusion between amendments 4 and 5. The amendment by Burundi replaced paragraph 1. Amendment N° 4 sought to add an additional paragraph 1 (a) since it was felt that the next text was too weak as it stood.

Mr BARROW felt that a vote must now be taken on amendment no. 4 which could not be considered jointly with amendment no. 5.

Mr IRMER pointed out that in his previous intervention he had asked for amendment no. 4 to be rejected and took the opportunity to clarify the voting procedure.

Mr AGBAHE felt that the text of amendment no. 4 tabled jointly by BENIN and Nigeria raised a crucial issue which required thorough consideration. There would be no point in adopting paragraph 1 without also adopting amendment no. 4 which sought to introduce a new paragraph 1(a). He explained amendment no. 4.

Paragraph 1 was adopted.

Explaining his decision to abstain, Mr NTUNGUMBURANYE said that the paragraph in question did not accurately reflect the previous debates. He had tabled this amendment in order to adjust the resolution accordingly.

Mr COHEN felt that the matter had been fully discussed in the drafting committee and had some hesitation in supporting the amendments now. He felt that it was for the Consultative Assembly to make general recommendations and not to propose technical adjustments.

Mr OSSEBI said he had abstained on paragraph 1. Unlike the preamble this paragraph did not reflect a reality inasmuch as there was no cause and effect relationship between the preamble and paragraph 1. The speaker said it would have been logical for paragraph 1a to appear in the resolution as it was the only one that had a real value in that it was relevant to the preamble. He therefore asked for it to be put to the vote.

After paragraph 1, Mr AGBAHE had tabled amendment No. 4 seeking to insert a new paragraph 1a.

Amendment No. 4 was rejected.

Mr DENIS, in an explanation of vote, said the rejection of the unequivocal wordings proposed by the ACP side revealed unavowable ulterior motives which he was surprised to find Members who claimed to be of the Left supporting.

Mr AGBAHE expressed his sadness at the refusal of the European Members to support a text which might have unblocked the situation. It was now clear what credence should be given to verbal assurances and the speaker expressed his concern about the future course of the negotiations.

Mr BERSANI wished to reassure the representative of Benin. The European Parliamentarians were in full agreement with their ACP colleagues as regards substance. If they had voted against the paragraph 1a that had been proposed, this was because of its excessively technical and specific implications.

Mr COULIBALY said that as the Consultative Assembly confined itself, by definition, to delivering opinions, it could have adopted this amendment. The ACP countries, which yesterday had been chided for not asking for enough, were now faced with a refusal as soon as they asked for something! It was essential, he added, that Europeans and ACP countries should act together.

Explaining his vote, Mr OULD DADDAH said that the problem, so far from being too technical, was well known: certain ACP States thought that the retroactivity and the automaticity sought for the investment system were going too far. He was surprised at the result of the vote on the amendment.

Mr AFOLABI referred to the discussion following the rejection of the amendment tabled by Benin to the motion for a resolution on the conclusion of the Joint Committee's proceedings. This amendment had raised an issue of fundamental importance, and Nigeria proposed that the Benin Amendment be made a formal statement annexed to the resolution.

Referring to the manner in which the amendment had been presented to the Assembly, he said that subsequent exchanges had shown that if certain Socialist and Christian-Democrat Members of the European Parliament had fully understood the issues involved at the time, he was confident that the amendment would have been adopted. In saying this, he felt he was speaking for all the ACP countries.

Mr. FALL endorsed the comments made by the Nigerian representative as regards the basic unanimity of the ACP countries. However, his delegation had abstained because of the ambiguous nature of the text proposed.

M. KITI wants the negotiators to know that the ACP people don't want to discriminate. The duty of the Assembly is to defend the interests of the many people who are suffering in the world, to protect the poor.

Mr MICHEL, giving an explanation of vote, indicated the practical reasons for which he abstained during the vote on amendment 1a to paragraph 1 of the resolution submitted by the Joint Committee on ACP sugar. He suggested that in view of the difficulties involved in the numbering of the paragraphs the best solution might be to attach this text, by way of explanation, to the resolution as a whole.

Mr GLINNE, giving an explanation of vote, said that the adoption of amendment no. 4 would in no way help the negotiators as the two parts of this amendment were contradictory.

Paragraphs 2 and 3 were adopted.

On paragraph 4, Mr PEARCE, Mr TURNER and Mr John David TAYLOR had tabled amendment No. 3 seeking to replace this paragraph by a new text.

Mr IRMER said that the content of amendment no 3 was the exact opposite of the original text. Moreover, the speaker expressed his surprise that Mr Pearce had signed this amendment.

He asked for the amendment to be rejected.

Mr SHERLOCK said that he was responsible for the amendment relating to the volume of the EDF. He wanted every possible increase in the available funds, but it must be recognised that the economic situation of the European countries was much less favourable than it had been before. Moreover, the directly elected members had now to justify their position to their electors.

The speaker withdrew what he had said about Mr Pearce.

Amendment No. 3 was rejected.

Paragraph 4 was adopted.

Mr DENIS asked for a separate vote to be taken on paragraph 7.

Paragraph 5, then paragraph 6, were adopted.

Paragraph 7 was adopted.

After paragraph 7, the following two amendments, each seeking to add a new paragraph, had been tabled :

- amendment No. 1 by Mr KLEPSCH, Mr BERSANI, Mrs CASSANMAGNAGO CERRETTI, Mr WAWRZIK, Mr MICHEL, Mr NARDUCCI, Mr VERGEER and Mr ESTGEN
- amendment No. 2 by Mr COHEN on behalf of the Socialist Group.

Mr IRMER said that there had been a long discussion in the Joint Committee as to whether there should be a reference to human rights in the resolution. Opinions had differed, the Europeans being in favour and the ACP countries being against. It had therefore been difficult to find a compromise.

In those circumstances Mr Irmer was unable to recommend either the adoption or the rejection of amendment no. 1.

As chairman of the Drafting Committee, Mr KASSE said that the reason why it had not been insisted that this point be included in the resolution was to avoid weakening its impact by failing to secure unanimity. He hoped these amendments would be rejected.

Mr DENIS said that during its election campaign in France the Communist Party had asked that the Universal Convention and the European Convention on Human Rights should be fully applied in each of the Community countries. It was important to keep one's own house in order before interfering with anyone else. Turning to the amendments, he reminded the Assembly that Georges Marchais had stated the previous year in the same forum that he understood why the ACP States were against the introduction of a clause on human rights in the new Convention because it would constitute an instrument for interference and political discrimination.

Mr MICHEL pointed out that the amendment of the Christian Democratic Group was designed to bring about dialogue and the common search for what the Africans had themselves declared to be their primary objective at Monrovia and Lusaka, namely the right to life.

Mr COHEN said that two amendments had been tabled to paragraph 8 of the resolution and that the Assembly would have to choose between them as it was necessary to complete the first seven paragraphs that had already been adopted. In the course of lengthy debate in the Drafting Committee, one point had remained outstanding, namely the issue of human rights. Despite all the difficulties involved, it would be a great pity if the Consultative Assembly did not take a positive decision on this matter as the work of the Assembly over the years would be rendered null and void if no reference was made to human rights in the resolution. As the Socialist amendment was confined strictly to following the line adopted by the ACP countries at the OAU and in Lusaka, it ought, with a little cooperation, to be accepted by everybody.

Mr WAWRZIK said that if the amendment was rejected this would be tantamount to going back on the Lesotho resolution. He reminded the Assembly that this was an extremely important point for the European members.

Mr LWULIZA-KIRUNDA thought the amendment was unacceptable as it introduced a reference to the OAU and the Commonwealth Conference which was not relevant to the business of this Assembly.

Amendment No. 1 was rejected.

Amendment No. 2 was rejected.

Mrs FOCKE, giving an explanation of vote, said that although she supported the resolution as a whole she regretted that the tradition of the Assembly had not been respected with the inclusion of a reference to human rights. That was why she had abstained.

Mr DENIS stated that the French Communists and their allies had abstained because they understood the legitimate claims of the ACP countries. He underlined that the concept of dignity had not only an individual dimension but had also a national and social dimension. He deplored the intransigent attitude of many Europeans on the matter of human rights. Moreover, Europeans ought to understand that for many ACP countries cooperation was a question of survival. Unfortunately Lomé II fell far short of the legitimate aspirations and real needs of the associated countries.

The Assembly adopted the resolution.

The sitting was suspended at 12.25 p.m. and resumed at 12.40 p.m.

5. ACP sugar (continuation of vote)

The oral amendments proposed by Mr CHASLE having in the meantime been translated, printed and distributed, the Assembly resumed voting on the motion for a resolution on ACP sugar (Doc. ACP-EEC 13/79)

On paragraph 3, the following two amendments had been tabled, each seeking to replace this paragraph by a new text :

- amendment No. 1/rev. by Mr DELEAU and others (withdrawn)
- amendment No. 4 by Mr CHASLE on behalf of the delegation of Mauritius.

Deputizing for the rapporteur, Mr COHEN said that the amendments that had been tabled were more consistent in his view with the intentions of the Drafting Committee. On behalf of that committee therefore he recommended that the Assembly adopt those amendments.

Amendment No. 4 was adopted.

Paragraph 4 was adopted.

On paragraph 5, the following two amendments had been tabled, each seeking to replace this paragraph by a new text :

- amendment No. 2/rev. by Mr DELEAU and others (withdrawn)
- amendment No. 5 by Mr CHASLE on behalf of the delegation of Mauritius.

Mr MICHEL spoke on a point of order, announcing that the amendments by Mr Deleau and others had been withdrawn so as to give priority to the amendments tabled by Mauritius.

Mr COHEN spoke briefly to urge the Assembly to adopt the amendment.

Amendment No. 5 was adopted.

Paragraphs 6 to 9 were adopted.

M. KITI explained that he had voted in favour of the entire resolution given its importance. However, he did not feel that amendment 4 should have been adopted because it did not reflect the position of his and other countries as well as the original paragraph. Sugar was so important to small farmers in the ACP countries that they needed better protection : at present far too much sugar was in storage because of delays in reaching agreement.

M. AFOLABI and Mr KANU raised some particular questions but were invited by the President to do so under the next item : "any other business".

The Assembly adopted the resolution.

6. Other business

Mr AFOLABI wanted a ruling on the proposal to annex to the relevant resolution, the text on investments whose importance he stressed. (*)

Mr KANU felt that there had been no opposition to the resolution contained in Document ACP-EEC 15/79 on which there had been extensive consultation. The postponement of a vote was purely technical and the matter was urgent. A vote should therefore be taken now.

(*) Cf. Annex

On behalf of the Drafting Committee that had submitted the motion for a general resolution on the work of the Joint Committee, Mr KASSE expressed his gratitude to the Assembly for the responsible way in which it had dealt with the document. He drew attention in particular to paragraph 1 which stressed the need to overcome present difficulties so as to enable the new Convention to be signed in the very near future.

As representative of a country which was not only landlocked but had also been suffering from drought for several years the speaker urged the Assembly to draw up a document on the landlocked countries which ought to be considered as countries in real distress.

Mr NTUNGUMBURANYE supported the proposal made by Mr Michel that the amendment tabled by Benin and Nigeria should be attached to the resolution adopted at the conclusion of the Joint Committee's proceedings.

Mr KANU repeated his request for the resolution in Document ACP-EEC 15/79 to be put to the vote now.

Mr AKINNIRANYE, too, stresses the importance of amendment No. 4 and asks that satisfaction be given to the speakers who referred to its publication.

7. Closure of annual session

President MUNA thanked the Members of the Assembly for their participation.

He then declared the annual session of the Consultative Assembly closed.

The sitting was closed at 1.30 p.m.

AMENDMENT No. 4

tabled by Mr Grégoire AGBAHE (People's Republic of Benin)

Motion for a resolution tabled by the Joint Committee (doc. ACP-EEC 14/79)
ON THE CONCLUSION OF THE JOINT COMMITTEE'S PROCEEDINGS

Paragraph 1a (new)

After paragraph 1 insert a new paragraph to be
worded as follows :

"1a. Requests the negotiators, particularly in the matter of the treatment in the ACP States of investments originating in the EEC Member States, to take into consideration the request made by the ACP countries within the framework of inter-governmental agreements that no discrimination be exercised as between the Member States of the EEC and furthermore that agreements of this kind should not extend automatically and retroactively to investments originating in other Member States of the EEC;"