



14TH SESSION OF AFRICAN, CARIBBEAN AND PACIFIC (ACP)
PARLIAMENTARY ASSEMBLY

22 – 24 November 2008

AND

16TH SESSION OF ACP-EU JOINT PARLIAMENTARY ASSEMBLY (JPA):

PORT MORESBY, PAPUA NEW GUINEA,

25-28 NOVEMBER 2008.

December 2008

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1. INTRODUCTION

- 1.1. The 16th Session of the ACP-EU Joint Parliamentary Assembly was held in Port Moresby, Papua New Guinea from 24 to 28 November 2008. It was preceded by meetings of the 14th Session of the ACP Parliamentary Assembly from 20 to 22 November 2008.
- 1.2. The Zimbabwe Human Rights NGO Forum (hereinafter the Forum) sent a delegation comprising of Aloius Chaumba (Executive Director, Catholic Commission for Justice and Peace), Brian Penduka (Programmes Coordinator of the Forum) and Tor-Hugne Olsen (Coordinator of the Forum's International Liaison Office) to attend the Assembly and meetings around the Assembly.
- 1.3. The significant of this Session was that Zimbabwe had been placed on the agenda for discussion and for a possible resolution.
- 1.4. This report seeks to chronicle the activities of the Forum at the Assembly.

2. BACKGROUND

- 2.1. The ACP-EU Joint Parliamentary Assembly was created to bring together the elected representatives of the [European Union](#) (the [Members](#) of the [European Parliament](#)) and the elected representatives of the African, Caribbean and Pacific states ("[ACP countries](#)"), as part of the political dimension of the [Cotonou Agreement](#).¹
- 2.2. The Joint Parliamentary Assembly meets twice a year in plenary Sessions, alternately in a member state of the European Union and in an ACP State, with a view to strengthening regional integration and fostering cooperation between national parliaments; meetings between EU and ACP members of parliament may be arranged at regional or sub regional level.
- 2.3. The specific roles of the Joint Parliamentary Assembly, are to:

¹ The Cotonou Agreement is a [treaty](#) between the [European Union](#) and the group of African, Caribbean and Pacific states ([ACP countries](#)). It was signed in June 2000 in [Cotonou](#), the largest city in [Benin](#), by 79 ACP countries and the then fifteen [Member States](#) of the European Union. It entered into force in 2003 and is the latest agreement in the history of [ACP-EU Development Cooperation](#).

- 2.3.1. promote democratic processes through dialogue and consultation;
 - 2.3.2. facilitate greater understanding between the peoples of the European Union and those of the ACP States and raise public awareness of development issues;
 - 2.3.3. discuss issues pertaining to development and the ACP-EU Partnership;
 - 2.3.4. Adopt resolutions and make recommendations to the Council of Ministers with a view to achieving the objectives of the Cotonou Agreement.
- 2.4. The Joint Parliamentary Assembly is composed of equal numbers of EU and ACP representatives² one MP from each of the 79 member states of the ACP and 79 MEPs from the European Parliament. The ACP has an own parliament which meets before the JPA, mainly to discuss issues that are being debated at the JPA.
- 2.5. The Forum has participated in the JPAs, since the Session in November 2002 (Brussels, Belgium) which was cancelled following a decision by the Zimbabwean government to include in the Zimbabwe delegation two ministers who were on the EU travel ban list. This decision led to a resultant ban on the two delegates, Mr P.M. Mangwana and Dr C.T. Kuruneri, from the European Parliament's premises by Parliament's Conference of Presidents

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² Article 17 of the Cotonou Agreement

3. OPENING CEREMONY

- 3.1. The 14th Session of the ACP Parliamentary Assembly was officially opened by the Governor of the National Capital District of Papua New Guinea, Hon. Powes Parkok on 22 November 2008.
- 3.2. The Minister of Correctional Services, Hon. Tony AIMO, Papua New Guinea, chaired the Assembly in the absence of the substantive Chairperson Mr. Wilkie Rasmussen, Cook Islands. The ACP countries presidencies follow a rotational system between the 6 ACP regions and the presidency is currently with the Pacific.
- 3.3. The purpose of the ACP Parliamentary Assembly was to consider, among other issues, amendments and voting positions on draft reports and motions for urgent topics.
- 3.4. The Assembly accredited non-Parliamentary representatives for countries that did not have a parliamentarians present; Fiji, Solomon Islands, St. Kitts and Nevis and Swaziland.

4. MEETING OF THE SOUTHERN AFRICA GROUP

- 4.1. Members of Parliament of the Southern Africa Group met on 22 November 2008, under the Chairmanship of Hon. Peya MUSHELENGA, Member of Parliament from Namibia, in the absence of a Member of Parliament from Swaziland the current Coordinator for the Region. The meeting discussed Membership of the Bureau; The issue of Zimbabwe in the face of an urgent motion for resolution; and nominated the region's rapporteurs for the Country and Regional Strategy Papers for the 10th EDF.
- 4.2. Regarding the Southern African representatives on the Bureau, the meeting was reminded that the current Members were Zimbabwe and Angola and that in Prague, Botswana will replace Zimbabwe. Additionally, the Group nominated South Africa and Lesotho to represent the Region at the conciliation meetings on the Urgent Motion for resolution on Zimbabwe.
- 4.3. Discussions on the situation in Zimbabwe were deferred until such a time as the MPs from Zimbabwe had arrived to take part in the discussion.
- 4.4. Botswana and Zambia were appointed rapporteurs for the review and analysis of Regional Strategy Papers for the 10th EDF. These will work with representatives from the 5 other regions, and the issue will further be discussed by the Economic Development, Finance and Trade Committee at the next JPA meeting in Prague, Czech Republic.

5. JPA COMMITTEE MEETINGS

5.1. Three Standing Committees were created in 2003 to draw up substantive proposals which are then voted on by the Joint Parliamentary Assembly. These Committees are:

- [Committee on Political Affairs](#)
- [Committee on Economic Development, Finance and Trade](#)
- [Committee on Social Affairs and the Environment.](#)

ACP COMMITTEE MEETINGS

5.2. Prior to the convening of the three Standing Committees under the JPA the ACP group meetings in similar groups to come up with ACP positions on the various issues.

5.3. Zimbabwe is part of the Political Affairs Committee; however the delegation from Zimbabwe was not present when the committee met, as such there were no deliberations that were made by the committee on Zimbabwe.

5.4. It is also important to note that NGOs have traditionally not been allowed to sit in on the Sessions of the ACP. The Forum delegation attempted to sit in on the Committee meeting in order to follow the discussions on Zimbabwe however it was equivocally asked to leave by the ACP Secretariat.

6. SIDE MEETING ON ZIMBABWE

6.1. On 24 of November 2008 the Forum held a side meeting on Zimbabwe to discuss the human rights situation in Zimbabwe.

6.2. The meeting could not be held at the venue as there were numerous other meetings that were scheduled there as such the delegation had no option but to have the meeting at a hotel close to the venue. The fear with having a side meeting away from the venue is always that the MPs and MEPs would not be able to attend. The situation was worsened by the fact that there were committee meetings scheduled for the same day. Nonetheless the meeting was held at the Holiday Inn in Port Moresby.



Aloius Chaumba presenting and Michael Gahler, JPA Vice President (EPP Germany) chairing the Forum Side Meeting

- 6.3. The original programme and the invitations that were sent out showed that the Honourable Botsalo Ntuane was supposed to be the Chair of the event. However due to directives from Botswana he pulled out of the chair and elected to join the floor for the discussion.
- 6.4. The Vice President of the JPA Michael Gahler (EPP Germany) eventually took up the chair of the event. Attendance at the meeting was good given the challenges created by the venue. A list of the participants is attached hereto as Annexure “A”
- 6.5. The first speaker was Brian Penduka of the Forum’s delegation who gave a broad overview of the political situation in Zimbabwe from the March 2008 elections to date. The overview spoke to the violence that occurred between the two elections³ and the effect that this violence had on the election. Mr Penduka also spoke of the other practices that took place around the elections which affected the outcome of the results and the conduct of the elections in general for example, the recoding of the ballot serial numbers and submission of the same to ZANU (PF) official at the polling station. Mr Penduka also spoke on the Global Political Agreement signed between ZANU (PF) and the two formations of the MDC and its discrepancies.
- 6.6. Mr Chaumba, the Executive Director of the Catholic Commission for Justice and Peace, gave a synopsis of the humanitarian crisis in Zimbabwe. He addressed issues to do with the collapse of the health delivery system and the cholera epidemic that had ravished the nation. Mr Chaumba also spoke on the food crisis highlighting how food had been politicised and how the majority of Zimbabweans faced starvation.
- 6.7. The presentations were followed by a very lively question and answer sessions, the highlights of which were the interventions of Botswana and Kenya which called for more drastic actions to be taken in Zimbabwe. The Honourable MP from

³ i.e. 29 March 2008 Election and the 27 June 2008 Election

Botswana also spoke about their attitude towards fresh elections in Zimbabwe noting that the country would be further devastated with more lives being lost as part of the ZANU (PF) campaign.

- 6.8. It is also important to note that the MP from Botswana used some of the information that he had received in the side meeting at the Conciliation Meeting on Zimbabwe and that even during the meeting the MP and other MPs consulted the Forum delegations on the accuracy of information that was being placed before the meeting by the ZANU (PF) MP or the South African Delegation.

7. CONCILIATION MEETINGS ON THE URGENT MOTION ON ZIMBABWE

- 7.1. The JPA decides on urgent topics at the Bureau meeting and committee meetings in Brussels usually held around two months prior to the JPA itself. There can be a maximum of two urgent topics discussed at each JPA, which may lead to an urgent motion. In the past the JPA has posed restrictions on passing of country specific motions and has rejected motions on Chad (March 2008) and Sudan/Darfur (November 2007) at its two last JPAs.
- 7.2. In its meeting on 10 September 2008 the Bureau decided to present two urgent topics; Mauritania and Zimbabwe and invited ACP MPs of the JPA and political groups of the European Parliament to present motions on these urgent topics.
- 7.3. By the deadline at the end of October there were eight proposals for a resolution on Zimbabwe; one from Zimbabwe, one from Mali and one from each of the six groups in the European Parliament necessitating a conciliation meeting between the different authors to try to make one proposal held in the morning of 25 November before the opening Session started. The South Africans presented a compromise text that they suggested should form the basis of the discussion. However it was agreed to use the Mali text as the starting point and the other drafters were invited to propose changes to that text from their own draft motions.
- 7.4. After some strong discussions a draft unified text was agreed. Parts of the Zimbabwean Parliamentary delegation arrived during the Conciliation Meeting and were able to participate in this debate (ZANU PF's delegate⁴, who headed the delegation and the delegate from MDC-M⁵), while the last delegate (MDC-T⁶) only arrived late the same afternoon.

8. THE 16TH SESSION OF ACP-EU JOINT PARLIAMENTARY ASSEMBLY

⁴ Honorable Chidakwa

⁵ Honorable M Muzila

⁶ Senator S Holland

- 8.1. The formal opening of the 16th Session of the ACP-EU Joint Parliamentary Assembly was on Tuesday 25 November 2008. The Assembly was addressed by the following speakers: The Acting Co-President of the ACP-EU JPA, Hon. Tony AIMO (Papua New Guinea); Co-President of the ACP-EU Joint Parliamentary Assembly, Mrs Glenys Kinnock (PES/UK); and Deputy Prime Minister of Papua New Guinea, Hon. Dr. Puka TEMU.
- 8.2. The speakers focused amongst others, on the Economic Partnership Agreements (EPAs), Climate Change, Global Crises (food, energy and financial) and the challenges being faced by ACP countries in their endeavours to achieve the Millennium Development Goals.
- 8.3. The European Commissioner for Development and Humanitarian Aid Mr. Louis Michel, made a statement to the Assembly regarding the development policy and activities of the EU with regard to the ACP Group, in particular the EDF support which he said had been doubled from the 9th to the 10th EDF. He emphasised the need for regional integration among ACP states and the creation of global alliances to fight global crises such as climate change, energy, food and financial.

9. URGENT MOTIONS FOR RESOLUTION

- 9.1. The ACP-EU JPA adopted two urgent resolutions on the political situation in Zimbabwe and on the political situation in Mauritania.
- 9.2. The urgent motion for resolution on **Zimbabwe** declares that the elections in Zimbabwe were not free, fair and transparent as they were held in a violent and intimidating environment. A government of national unity and equitable power-sharing between the parties is seen as a solution for ending the crisis.
- 9.3. The EU was commended for releasing 10 million euros for human aid and 15 million euros in food assistance to Zimbabwe and the international community was requested to provide more assistance rapidly for the post-conflict reconstruction of the country.
- 9.4. Zimbabwean authorities were called on to lift all restrictions against humanitarian aid agencies and to ensure that humanitarian aid is delivered to all citizens without impartialities. The Assembly expressed deep concern about the influx of Zimbabwean refugees in the region and the unfriendly treatment these refugees are receiving, and called on the European Commission to support the receiving countries with financial and material programmes for the refugees.
- 9.5. The delegate from South Africa attempted to raise a technical issue for correction in the resolution after the vote had been made but this was quickly addressed by the Mrs. Kinnock. The delegate from South Africa wanted to change the wording

of resolution by having adding the word “alleged” to the reference of the attempted murder of the MDC T principle Morgan Tsvangirai.

9.6. Attached to this report as Annexure “B” is a copy of the compromise resolution adopted on Zimbabwe.

9.7. The resolution was agreed to by all the delegates with only two delegates abstaining from the vote.

9.8. On **Mauritania**, the meeting condemned the ousting of the elected President of the country by the military junta, and called for his immediate release from house arrest. An ACP-EU JPA fact-finding mission to Mauritania was proposed, and consultations between the European Commission and Mauritania will commence in order to return constitutional order to the country.

10. CONCLUSION AND RECOMMENDATIONS

10.1. The Forums participation at the Assembly was a very successful one, in that the delegation

- a) Managed to organise and hold a side meeting on Zimbabwe;
- b) Managed to inform key stakeholders in various forums on the Human Rights Situation in Zimbabwe;
- c) Was able to influence the processes around the drafting of the compromise resolution on Zimbabwe.
- d) to positively influence delegates to adopt a resolution on Zimbabwe

10.2. However much more work could have been done before the meeting to inform the delegates from the different countries on the situation in Zimbabwe. This could have been achieved by distributing the documents used by the delegation to lobby the assembly to the ACP and EU missions based in Harare in advance or simply meeting with the Brussels Embassy for these countries staff prior to the meeting.

10.3. Further given the type of lobbying work that takes place at the Assembly it is crucial to have consistency in the delegates that travel to the Assembly.

10.4. Finally, when delegates are travelling across the day line or where there are significant time differences with the host country there is need for these time difference to be considered in making the bookings for flights and accommodation.