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## **34<sup>th</sup> SESSION**

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**Port-au-Prince (Haiti)**

**ANSWERS TO WRITTEN QUESTIONS**

**FROM THE COMMISSION**

**Questions 1-10**

## **QUESTION 1/COM 1**

by Norbert Neuser

Subject: Resumption of talks about Cuban ACP-EU JPA membership

Given that the EU-Cuban Political Dialogue and Cooperation Agreement is progressing and will provisionally come into effect on 1 November 2017, what can be done to facilitate the resumption of talks aiming for the inclusion of Cuba as a full member of the ACP-EU JPA?

## **REPLY QUESTION 1**

While Cuba is a full Member of the ACP group, it has not signed the Cotonou Agreement. This is a matter for Cuba to decide on. However, not being a signatory of Cotonou, Cuba cannot, at present, be a full member of the JPA.

However, as a member of the ACP group, Cuba could eventually become a signatory to the next EU-ACP partnership agreement that is currently being prepared. The European Commission will seek to associate Cuba closely to the negotiations and would be open to the possibility of its accession to the agreement.

The EU-Cuba Political Dialogue and Cooperation Agreement (PDCA) is a stand-alone agreement that is not part of the EU-ACP framework and therefore does not constitute a legal basis for Cuban JPA membership. The PDCA, however, is an important step in building trust. It shows the willingness of both sides to interact closely. The successful implementation of the agreement - with its pillars of political dialogue, cooperation and sector policy dialogue, economic relations and people-to-people exchanges - is the best way to further advance mutual trust and thus facilitate a possible inclusion of Cuba in a post-Cotonou partnership agreement – and consequently its membership of the ACP-EU Joint Parliamentary Assembly.

## **QUESTION 2/COM 2**

by Catherine Bearder

Subject: Post-Cotonou and wildlife trafficking

Article 32 of the Cotonou Agreement forms the framework of ACP-EU cooperation on environmental protection and sustainable use and management of natural resources, including wildlife.

That agreement will, however, come to an end in 2020 and negotiations on the post-Cotonou partnership are set to start in September 2018.

Will the Commission include wildlife trafficking in the renewed agreement with ACP countries after 2020?

Will the Commission mention the EU Action Plan against Wildlife Trafficking?

## **REPLY QUESTION 2**

It is the Commission's intention to support and intensify the fight against all forms of trafficking as well as to address their root causes, and adapt to the increasingly structured relationships between criminal networks including those involved in wildlife trafficking. This will also include the relations between these criminal activities and terrorism.

While the Commission is not currently in a position to comment on the content and scope of the ACP-EU post-Cotonou partnership, the Commission would like to recall that it is fully committed, in the current financial period, to the implementation of the 2016 EU Action Plan against Wildlife Trafficking.<sup>1</sup> This Action Plan will constitute a significant background document for discussions with ACP countries regarding the future partnership.

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<sup>1</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions on the EU Action Plan against Wildlife Trafficking, COM(2016) 87 final.

## **QUESTION 3/COM 8**

by Lúdia Senra Rodriguez

Subject: EU funds to repair the damage caused by Hurricane Irma in the Caribbean islands

The Caribbean region, which has around 700 islands, is particularly exposed to humanitarian emergencies due to hurricanes and floods. Hurricane Irma has recently caused serious damage to ACP countries such as Cuba, Dominica, Haiti, the Bahamas, Antigua and Barbuda, as well as Puerto Rico.

Given that industrialised countries such as EU Member States bear a heavy responsibility for global warming, which is leading to a multiplication of such weather events, what funds has the Commission mobilised, or is it considering mobilising, in order to deal with not only the humanitarian emergency but also the sustainable reconstruction of these countries?

## **REPLY QUESTION 3**

The disastrous consequences of recent hurricanes Irma and Maria are a reminder of the extreme vulnerability of the Caribbean small island states in the face of climate change impacts. The intensity and frequency of these extreme natural events is on the rise.

In the aftermath of the disasters, the EU has intervened - through the European Civil Protection Mechanism - with logistical support and humanitarian relief.

In addition, the Commission has mobilised urgent humanitarian assistance for a total of EUR 2.7 million (shelter, Water Sanitation Hygiene, food, potable water) of which EUR 1.6 million only for Cuba.

The EU has financed Post Disaster Needs Assessments (PDNA) in Antigua and Barbuda and Dominica. The PDNAs are carried out jointly with the World Bank and the UNDP through an EU financial contribution of approximately EUR 250,000 each.

The Commission has also accelerated the disbursement of EUR 7 million to the state budgets of Turks and Caicos and Anguilla from on-going budget support programmes as immediate cash relief to affected governments. An additional EUR 3.5 million will be disbursed shortly to Dominica.

In the medium term, the EU has prepared a LRRD (Linking Relief, Rehabilitation and Development) strategy which is intended to combine all available tools and resources to support a prompt and coordinated short-, middle and long-term EU response to the impact caused by the recent hurricanes.

The strategy is tailored to the most affected countries and territories: Antigua and Barbuda, Dominica, Saint Kitts and Nevis, Anguilla, Turks and Caicos Islands, St Martin and Cuba.

In addition to those interventions at national level aimed at supporting the rehabilitation and reconstruction of most affected countries, the EU strategy aims as well at building long term resilience of the region against natural disasters and the consequences of climate change.

In this context, the EU has proposed to establish a facility which - in complement and coordination with all other available instruments (insurance, shock absorbing mechanisms,

blending) - will support countries of the region to build more resilient communities, to finance adaptation projects and, overall, to be better prepared in disaster response in the future.

Cuba should also benefit from this facility, in its double role of provider of know-how and services (due to the high level of specialization of its civil protection mechanism) and as beneficiary of assistance due to the extent of damages suffered.

In terms of financing, the overall amount to contribute to the relief and reconstruction is about EUR 300 million for the Caribbean, of which around EUR 50 million will be new resources.

## QUESTION 4/COM 3

by Seb Dance, Louis Michel, Mfanawemankhosi Jomo Dlamini (Swaziland)

Subject: Effects of the extended global gag rule (also known as the Mexico City Policy) on SRHR and HIV

We note with concern the US Administration's reinstatement of the global gag rule (GGR) and its unprecedented extension to global health programmes, including HIV. The GGR puts the lives of women, girls and people most affected by HIV at risk, makes it harder to end AIDS, and jeopardises the achievement of the SDGs.

What will the Commission do to counter the negative effects of the extended GGR on funding for SRHR/HIV? Has the Commission considered increasing its support to global initiatives addressing SRHR/HIV, notably the Global Fund to Fight AIDS, Tuberculosis and Malaria?

## REPLY QUESTION 4

The Commission is concerned about the re-instatement of the 'extended' Global Gag Rule and possible implications on reaching universal coverage of health services, including sexual and reproductive health and rights, and eventually on reaching the targets set in the Sustainable Development Goals, to reducing maternal mortality and empowering women. This could put the lives of women and girls in the poorest countries of the world at particular risk, while also potentially jeopardising the progress made over the past decades on women's rights and empowerment.

The Commission remains firmly committed to playing a leading role in ensuring women's and girls' access to sexual and reproductive health and rights, including family planning, which are an integral part of the EU's commitment to gender equality and women's and girls' empowerment as reflected in the EU Gender Action Plan in external relations 2016-2020.<sup>1</sup>

The risk of significant funding gaps resulting from the re-instatement of the 'extended' Global Gag Rule is large. Together with EU Member States, civil society and other international organisations and partners, the Commission continues to analyse the size of the expected funding cuts, their impact and how best to approach the issue. A strong joint-up approach will be required.

In parallel, the EU continues exploring all the options to do more and in a more targeted manner to protect the lives, health and well-being of women and girls around the world, to fulfil their rights and to promote their empowerment, particularly for those most vulnerable and most in need, so that no woman or girl is left behind.

To highlight this firm commitment, at the UN General Assembly in New York in September this year, the European Union together with the United Nations launched a new global EU-UN "Spotlight Initiative" to eliminate all forms of violence against women and girls, backed by an initial dedicated financial envelope of EUR 500 million. The Initiative will help build up the

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<sup>1</sup> Joint Staff Working Document "Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020", SWD(2015) 182 final.

EU's strategic partnership with the UN and reaffirm the EU's resolute and unwavering commitment to gender equality and women's and girls' empowerment. The Initiative envisages funding *inter alia* to stop sexual and gender-based violence, including harmful practices, and to promote and provide access to sexual and reproductive health and rights, with the emphasis on reaching vulnerable/marginalised population groups including youth.

Similarly, the Commission remains strongly committed to supporting global health initiatives such as the Global Fund, to which the Commission pledged EUR 475 million for 2017-2019 (increase of EUR 100 million compared to the last replenishment 2014-2016), the Vaccine Alliance (GAVI), to which EUR 200 million for the period 2016-2020 was pledged, and the United Nations Population Fund (UNFPA) supplies to which EUR 20 million was allocated (2016-2018).

At the same time, the bilateral development assistance in partner countries remains the main instrument for EU support to national health systems and programmes, for which EUR 1.5 billion has been allocated for 2014-2020 funding period, including financing for sexual and reproductive health and rights.

## QUESTION 5/COM 4

by Maria Noichl

Subject: Sexual and reproductive health and rights in Haiti

Figures provided by Doctors without Borders show that only around 35 % of Haitian women have access to some method of contraception. Abortion-related complications are the third main cause of maternal mortality. The lack of access to these essential services constitutes not only a barrier to achieving gender equality but also a serious health risk for women.

How does the Commission plan to support the women of Haiti in their fight for access to sexual reproductive health and rights? How does the Commission plan to counteract the effects of the global gag rule on the already difficult situation?

## REPLY QUESTION 5

In line with the recently adopted new European Consensus on Development<sup>1</sup>, the EU remains committed to the promotion, protection and fulfilment of the right of every individual to have full control over and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence.

Haiti is benefiting from various Global Health Initiatives to which the EU provides substantial contributions, such as the Global Fund, the Vaccine Alliance (GAVI), and the United Nations Population Fund (UNFPA) supplies.

In this regard, it is important to ensure that the resource flows through multilateral channels are effectively coordinated and aligned with country planning cycles and systems, and complement existing country programmes. The Commission is actively engaged in discussions in that respect and sits on the board/Steering Group of the various Global Health Initiatives it supports.

Bilaterally, the EU follows the key principle of concentration; i.e. in order to increase the impact and leverage of its assistance as well as its efficiency, the EU engages in three/four sectors per partner country.

Given the serious development needs of the country, the National Indicative Programme 2014-2020 for Haiti envisages four focal sectors: 1) state reform, 2) education, 3) urban development and infrastructures, and 4) food security and nutrition.

The main objective of the EU's assistance to Haiti, especially in the area of state reform, is to strengthen the State's ability and capacities to provide basic services to the population, including comprehensive health services. In this context, every programme funded by the EU also specifically addresses cross-cutting issues, including gender equality and human rights.

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<sup>1</sup> Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission (2017/C 210/01); OJ C 210, 30.6.2017, p. 1–24.

## QUESTION 6/COM 9

by Cécile Kyenge

Subject: Ending Female Genital Mutilation

200 million women and girls worldwide have been subjected to Female Genital Mutilation (FGM), a practice recognised as a violation of the human rights of women and girls.

How do the Commission and the Council assess the impact of actions taken within the scope of EU external action, including in the development cooperation sector, on ending FGM in ACP countries?

Does the Commission have indicators and benchmarks on FGM in its cooperation agreements with ACP countries where FGM is prevalent?

What steps are taken to ensure the sharing of promising practices among states within the EU and ACP on prevention, protection, prosecution and integrated policies to end FGM?

## REPLY QUESTION 6

The full and equal enjoyment of all human rights and fundamental freedoms by women and girls, including the elimination of the practice of Female Genital Mutilation/Cutting (FGM/C), is one of the priority issues in the EU's Human Rights and Democracy Country Strategy for ACP countries. The EU has repeatedly raised concerns regarding this harmful practice at political dialogues, including Human Rights dialogues and sub-committees, informal working groups and gender-related discussions, and has called upon governments to effectively enforce its prohibition.

To eliminate FGM/C in African countries, the Commission contributes to the UNFPA – UNICEF Joint Programme on the "Abandonment of Female Genital Mutilation/Cutting: Accelerating Change" in the frame of the Development Cooperation Instrument (DCI) Thematic Programme 'Global Public Goods and Challenges' (EUR 6 million) and the DCI Pan-African Programme (EUR 5 million).

The Joint Programme is active in 16 African countries<sup>1</sup> and Yemen. It includes interventions on policy and legal environment, provision of services, and work in the social sphere to galvanise a new social norm that supports abandonment of FGM/C.

It follows an approach whereby all interventions are strategically and deliberately designed and implemented in a holistic manner for maximum impact. It has developed and operationalised a web-based monitoring tool to systematically document and track achievements and results in all programme countries and at global level.

Since 2015, the Joint Programme is using the DevInfo Monitoring platform to systematise the

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<sup>1</sup> Burkina Faso, Gambia, Guinea, Guinea-Bissau, Mali, Mauritania, Nigeria, Senegal, Eritrea, Ethiopia, Kenya, Uganda, Djibouti, Egypt, Somalia, Sudan.

capture of data from the 17 countries in line with the programme's results-based framework. The system is housed within the Global DevInfo Initiative, the database system endorsed and used by the Joint Programme and widely by the United Nations.

Capacity development took place in 2015 and 2016: governments' planning and statistical units, CSOs, coordination units and UN staff were all trained. Progress is being made through quality control exercises and is monitored annually by the Commission.

A booklet - "17 Ways to End Female Genital Mutilation/Cutting "- uses a narrative approach to examine more specifically the challenges, complexities and achievements on the ground. It explores the innovative approaches that enable the Joint Programme teams, local partners and advocates deconstructing the social norms that allow FGM/C to continue in many communities.

"Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation" is one of the Sustainable Development Goals' targets (5.3.), which includes the indicator 5.3.2 "Proportion of girls and women aged 15-49 years who have undergone female genital mutilation/cutting, by age".

The SDG indicators are used in the EU international cooperation and development programmes and policies to monitor and measure their impact. The indicator on FGM/C will therefore be used in bilateral, regional and global programmes implemented in ACP countries and related to harmful practices against women and girls.

## QUESTION 7/COM 6

by Joao Ferreira

Subject: Conditionality of development aid and respect for human rights

In September 2017, the European Parliament adopted the regulation on the European Fund for Sustainable Development (EFSD), which recommends that development aid should be conditional upon border management and the return of migrants and gives priority to private sector participation.

Can this regulation be in keeping with international law, and in particular with the principle of non-refoulement and the Geneva Conventions? How can we achieve the sustainable development goals if we give the multinationals and private stakeholders *carte blanche* instead of developing real public services? Is this not yet another challenge to the sovereignty of ACP countries?

## REPLY QUESTION 7

The overarching objective of the External Investment Plan (EIP) and its main component, the European Fund for Sustainable Development (EFSD), is to promote private and public investments that will translate into economic development and more importantly decent job creation in key economic areas. In doing so, it aims at supporting investments as a means to achieve the Sustainable Development Goals, thus tackling root causes of migration, including irregular migration, and fostering sustainable reintegration of migrants returning to their countries of origin with due regard to the strengthening of the rule of law, good governance and human rights. The EIP does not impose any conditionality with regard to border management and the return of migrants<sup>1</sup>.

Poverty reduction remains at the centre of the EIP. Through the ESFD, it will enable private sector investment where it is most needed. Social, environmental, gender equality and human rights issues will be particularly promoted in the choices of investment portfolios.

Overall, budgetary allocations for EU development cooperation do not include conditionality linked to any sectoral EU policy priorities. While the Cotonou Agreement contains a legal obligation regarding readmission (Art. 13), assistance is not conditioned on fulfilment of this obligation. The EU approach to migration management is holistic and comprehensive, where return and readmission is one priority along with many others, such as ensuring international protection to those in need, fighting root causes and breaking the business model of smugglers and traffickers.

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<sup>1</sup> See Article 9 of Regulation 2017/1601 establishing EFSD

## QUESTION 8/COM 7

by György Hölvényi

Subject: IDPs and the right to return in ACP countries

What programmes are implemented by the Commission to support the return of refugees, IDPs and persons in similar situations to their homes or places of habitual residence in ACP countries?

How does the Commission facilitate the right to stay and the right to return for persons driven out of their home country or exposed to future mass migration as a result of conflicts or hunger, among other factors?

How does the Commission support the desire of local political, religious and civil leaders to stop forced migration and to keep citizens in their homelands or the immediate vicinity in the long term?

## REPLY QUESTION 8

The Commission provides extensive support for the stabilisation and recovery of States that are countries of origin of forced displacement in the ACP region.

Through the EU Emergency Trust Fund for Africa, the European Union and contributing Member States also promote and support the voluntary, safe and dignified return as well as sustainable reintegration of refugees and IDPs as part of their response to forced displacement and migration even though there is no legal obligation to do so.

Examples of relevant programmes include for instance; support for Malian refugees in collaboration with UNHCR; support for the work of international NGOs in Nigeria to enhance access to basic services of internally displaced persons, host communities and returnees; a Facility on Sustainable and Dignified Return and Reintegration in the Horn of Africa; or a programme to support the management of the voluntary return of Somalis into stable regions of Somalia.

The Commission is committed to coordinated action to address the root causes of irregular migration and forced displacement. These include; conflicts, state fragility, insecurity and marginalisation, poverty, food insecurity, inequality and discrimination, natural disasters as well as environmental degradation, including climate change. They are frequently interlinked.

In response to this, EDF-funded programmes promote human rights and peoples' dignity, democracy-building, good governance and the rule of law, social inclusion and cohesion, as well as economic opportunities with decent employment.

People flee to reach safety from man-made or natural disasters. The Commission, therefore, strives to address the root causes of forced displacement but not to stop it, in line with international law and notably the principle of "*non-refoulement*".

Where forced displacement occurs, the Commission works together with host governments to foster the self-reliance and resilience of both the displaced and their hosts. It thus implements the EU approach to forced displacement and development.

Local authorities and civil society are instrumental partners in reaching the most vulnerable and marginalised people.

## **QUESTION 9/COM 5**

by Laura Agea

Subject: 2030 Agenda for Sustainable Development

The significant political events that have taken place in recent years have many far-reaching impacts, including on the EU's aid spending and development cooperation. The rising number of terrorist attacks has created an atmosphere of fear, while the UK's withdrawal from the European Union poses a challenge to the European project as we know it. EU governments and international institutions alike are failing in their response to the refugee and humanitarian crises in the Mediterranean. Finally, the arrival of President Trump has ushered in a new era of US unilateralism.

Given this high-pressure international context, how does the Commission intend to meet the targets set in the 2030 Agenda for Sustainable Development?

## **REPLY QUESTION 9**

The number, intensity and complexity of global challenges continue to grow. As part of its response, the international community has agreed an ambitious and bold new vision for sustainable development: the 2030 Agenda for Sustainable Development. Alongside other major international agreements, including the Addis Ababa Action Agenda and the Paris Agreement on Climate Change, these agreements and commitments provide a pathway towards a more sustainable future which ensures dignity for all.

The EU is committed to remaining a global leader in sustainable development and will work with all those who want to find collective solutions to global problems. The EU is determined to implement the 2030 Agenda through internal and external action.

The response to the 2030 Agenda includes two work streams: the first work stream, which is already being implemented, is to mainstream the Sustainable Development Goals in the European policy framework and Commission priorities. Sustainable development will act as a guiding principle for all EU policies and better regulation tools are also used for this purpose.

For example, significant progress has been made in aligning the EU's external policies to supporting the implementation of the 2030 Agenda, including in partner countries. The SDGs will be a cross-cutting element of work to implement the EU Global Strategy for Foreign and Security Policy.

The new European Consensus on Development provides a common vision and a plan of action in development policy for the EU and its Member States, fully aligned with the 2030 Agenda. The Consensus keeps the focus firmly on poverty eradication, while also placing particular emphasis on the interconnected nature of the SDGs by highlighting certain key cross-cutting elements, where the transformative potential is greatest – such as gender, youth, sustainable energy and climate action, investment, migration and mobility.

Coherent policies are key. The EU and its Member States are committed to policy coherence for development, which requires taking account of the impact of their policies which are likely to affect developing countries as a contribution to achieving the SDGs.

The second work stream is a reflection on further developing a longer-term vision and the focus of sectoral policies after 2020. In this regard, the Commission is working on a Reflection Paper 'Towards a Sustainable Europe by 2030' on the follow-up to the UN Sustainable Development Goals, including on the Paris Agreement on Climate Change.

## QUESTION 10/COM 10

by Thierry Cornillet

Subject: Uncommitted appropriations

The EU and its Member States are the world's leading providers of official development assistance, with EUR 75.5bn paid out collectively in 2016. Significant EU funding is mobilised as part of development projects under the European Development Fund (EDF), the Development Cooperation Instrument and the Instrument contributing to Stability and Peace (IcSP).

May we be informed of the amount of uncommitted appropriations under these instruments for the period 2007-2013? This would enable us to assess the effectiveness of the European Union's assistance schemes and the degree of absorption of that assistance by developing countries.

## REPLY QUESTION 10

For the Development Cooperation Instrument (DCI), the available commitment appropriations in the voted budgets 2007-2013 represented EUR 16.9 billion, i.e. 30% of the EU budget Heading 4 (*EU as a Global Actor*). The Commission succeeded to commit 99.96% of this budget. A very marginal amount (0.04%, EUR 6.7 million) remained uncommitted over this seven year period, mainly representing administrative expenditure not spent due to measures put in place by the Commission to decrease this type of costs.

For the European Development Fund (EDF) the Commission had EUR 21,258 million at its disposal for 2007-2013, i.e. EUR 21,152 million as foreseen in the 10th EDF Internal Agreement and EUR 106 million coming from re-committable projects of the 8th EDF (STABEX). Out of this, the Commission succeeded to commit EUR 21,170 million until end 2013, achieving an implementation rate of 99.58%. The Commission left the amount of 88 million EUR not committed so as to finance in 2014 the transitory period from the 10th to 11th EDF (Bridging Facility) and to finance thereafter, together with other funds decommitted from 8th, 9th and 10th EDF, the African Peace Facility 2016-2018.

For the Instrument for Stability (IfS), the available commitment appropriations in the voted budgets 2007-2013 represented EUR 1.63 billion, financing both programmable short term and non-programmable, long term actions. The Commission succeeded to commit 99.75% of this total amount. A marginal amount (0.25%, EUR 4 million) remained uncommitted over this seven year period, with more than half (EUR 2.8 million) representing administrative expenditure not spent due to measures put in place by the Commission to decrease this type of costs.