

I

(Information)

ACP-EEC CONSULTATIVE ASSEMBLY

PREPARATORY MEETING

MINUTES OF THE SITTING OF WEDNESDAY, 26 NOVEMBER 1975

LUXEMBOURG

IN THE CHAIR: PRESIDENTS SPÉNALE AND YACÉ

ACP delegates:

The sitting was opened at 11.45 a.m.

Jamaica, *Chairman*, Mauritius, *Rapporteur*, Fiji, Senegal, Kenya, Zaire, Malawi;

EP delegates:

1. Formal opening

Miss Flesch, *Chairwoman*, Miss Boothroyd, Mr Deschamps, Mr Laudrin, Mr Brøndlund, Nielsen, Lord Reay, Mr Sandri.

The following spoke: Mr Thorn, *Minister of State, Head of Government and Minister of Foreign Affairs of the Grand Duchy of Luxembourg*; Mr Spénales, *President of the European Parliament*; Mr Yacé, *President of the National Assembly of the Ivory Coast and President of the ACP Preparatory Conference*; Mr Felli, *Commissioner of Foreign Affairs of Ghana and President of the Council of Ministers of the ACP*; Mr Van den Bulcke, *President of the Luxembourg Chamber of Deputies*; Miss Flesch, *Mayor of Luxembourg City and Chairwoman of the Committee on Development and Cooperation of the European Parliament*.

The sitting was suspended at 1.10 p.m. and resumed at 6 p.m.

3. Adoption of agenda

The draft agenda (Doc. CA/2) was adopted.

2. Appointment of drafting committee

The preparatory meeting appointed a joint drafting committee, with the following members, to prepare a draft of the EEC-ACP Consultative Assembly's rules of procedure for submission to the preparatory meeting:

4. Exchange of views on questions arising from the application of Article 80 of the ACP-EEC Convention of Lomé

Mr Broeks spoke on behalf of the Socialist Group.

Miss Flesch and Mr Macpherson reported on the work of the drafting committee, which would be submitting a text to the preparatory meeting the following morning.

5. Preparation of final declaration

On a proposal from Presidents Spénale and Yacé the preparatory meeting instructed the drafting committee to submit the text of a final declaration

to the preparatory meeting for adoption at the end of the last sitting.

The sitting was closed at 6.30 p.m.

MINUTES OF THE SITTING OF THURSDAY, 27 NOVEMBER 1975
LUXEMBOURG

IN THE CHAIR: PRESIDENTS SPÉNALE AND YACÉ

The sitting was opened at 11.15 a.m.

1. Approval of minutes

The minutes of the previous sitting (Doc. CA/6) were approved.

2. Exchange of views on questions arising from the application of Article 80 of the Convention of Lomé

The following spoke: Mr Battaglia, *President-in-Office of the Council of the European Communities*; Mr Muna, *President of the National Assembly of the Cameroon*; Mr Cheysson, *Member of the Commission of the European Communities*; Miss Flesch, *co-chairwoman of the joint drafting committee*; Mr Deschamps, *on behalf of the Christian-Democratic Group*; Mr Sherman, *Head of the Liberian delegation*.

3. Adoption of draft rules of procedure

The preparatory meeting adopted the draft rules of procedure of the EEC-ACP Consultative Assembly (Doc. CA/1 rev.) unanimously.

The sitting was suspended at 12.30 p.m. and resumed at 3.40 p.m.

4. Discussion and adoption of final declaration

Mr Macpherson, co-chairman of the drafting committee, presented the draft final declaration.

The following spoke: Mr Bersani; Mr Laudrin, on behalf of the Group of European Democrats; Mr Barnett.

Mr Macpherson tabled an amendment to paragraph 4 on his own behalf. Miss Flesch spoke.

Mr Macpherson's amendment was adopted unanimously.

The preparatory meeting adopted unanimously the following final declaration:

FINAL DECLARATION

The preparatory meeting of the Assembly, composed of representatives from the ACP countries and members of the European Parliament, held in Luxembourg on 26 and 27 November 1975 in the presence of observers from the States of Cape Verde, S. Tomé and Príncipe,

1. drew up draft rules of procedure for the Consultative Assembly as provided for in Article 80 of the Convention of Lomé;
2. noted that two-thirds of the ACP States had already ratified the Convention and stressed the need to speed up the ratification procedures in the EEC Member States so that the Convention of Lomé could enter into force in all its aspects at the earliest possible date;

3. reaffirmed its resolve to maintain the spirit of solidarity and open-mindedness evinced during the negotiations on the Convention in order to create a genuine model of cooperation based on equality between the partners, respect for their sovereignty and mutual interests, with a view to pursuing effective action, both within the organs of the Convention and towards the outside world, leading to the construction of a new, more equitable and more balanced international economic order more in accordance with the aspirations of the international community;
4. decided to hold the inaugural meeting of the Assembly as soon as possible after the Convention becomes operative and to this end requested the two Presidents of the preparatory meeting to convene the inaugural meeting.

5. Adoption of minutes

The preparatory meeting adopted the minutes of the present sitting (Doc. CA/8) which had been written during the proceedings.

The President declared the preparatory meeting closed.

The sitting was closed at 4.20 p.m.

ACP-EEC CONVENTION OF LOMÉ

DRAFT RULES OF PROCEDURE OF THE CONSULTATIVE ASSEMBLY ⁽¹⁾

(Article 80 of the Convention)

*Article 1***Members**

1. The Consultative Assembly of the Convention between the African, Caribbean, and Pacific States (ACP) and the European Economic Community (EEC), hereinafter called 'the Assembly', shall consist of two representatives of each of those States appointed in accordance with the procedure laid down by each of them, and of an equal number of representatives of the European Parliament appointed by it from among its members.

2. The credentials of the members of the Assembly shall be established by a letter of appointment from the appropriate authorities of the respective States in the case of ACP representatives and from the President of the European Parliament in the case of its representatives.

*Article 2***Observers**

1. In the event of the accession of another State to the Convention and pending ratification of the Convention by that State, a representative thereof may attend meetings of the Assembly as an observer.

2. Regional economic groupings of the ACP may send delegates to attend meetings of the Assembly as observers.

3. The Presidents may, with the agreement of the Joint Committee referred to in Article 21, invite other persons to attend meetings of the Assembly as observers.

4. Observers shall not have the right to vote, but may address the meeting with the agreement of the Assembly.

*Article 3***Attendance of other institutions**

1. The ACP-EEC Council of Ministers, hereinafter called 'the Council', may attend meetings of the Assembly and of the Joint Committee.

2. The Council, as well as the Council and Commission of the European Communities may attend meetings of the Assembly and of the Joint Committee at the invitation of their respective presidents or chairmen.

*Article 4***Meetings of the Assembly**

1. The Assembly shall meet once a year; it shall be convened by its presidents.

2. If necessary, an extraordinary meeting of the Assembly may be convened by its presidents at the request of the Council or of the Joint Committee.

*Article 5***Quorum**

1. A quorum of the Assembly and of the Joint Committee shall be attained when a majority both of the ACP representatives and of the representatives of the European Parliament are present.

2. The presidents shall be taken into account in ascertaining whether a quorum is present.

*Article 6***Bureau**

1. At the beginning of each annual meeting the Assembly shall elect its Bureau, which shall consist of

⁽¹⁾ Draft of the ACP-EEC Consultative Assembly adopted unanimously by the preparatory meeting on 27 November 1975.

12 members. Six of these shall be put forward by the representatives of the European Parliament, and six others by the ACP representatives, in each case in accordance with their own procedure.

2. The Assembly shall elect two presidents from among the members of the Bureau, one to be put forward by the ACP representatives and the other by the representatives of the European Parliament. The remaining members of the Bureau shall be the Vice-Presidents of the Assembly.

3. The Bureau shall coordinate the work of the Assembly and discharge the other duties and responsibilities assigned to it under these Rules of Procedure or by the Assembly.

4. The Bureau shall meet when convened by its presidents.

Article 7

Presidency of sittings

1. The president shall open, adjourn and close sittings. He shall ensure that the Rules of Procedure are observed, maintain order, call upon speakers, close debates, put questions to the vote and announce the results of votes.

2. The president may speak in a debate only to sum up or to call speakers to order; should he wish to take part in a debate, he shall vacate the chair.

3. The presidents shall jointly decide which of them is to preside at each sitting of the Assembly.

4. Should both presidents be absent, the chair shall be taken by a vice-president, in accordance with an order of precedence established by the Bureau.

5. The presidents may vote in their capacity as individual members.

Article 8

Seating arrangements

Members shall be seated in alphabetical order, by name in the case of representatives of the European

Parliament and by country in the case of ACP representatives.

Article 9

Official languages

1. The official languages of the Assembly shall be Danish, German, English, French, Italian and Dutch.

2. Acts adopted by the Assembly shall be published in the official languages. Preparatory documents shall be published in English and French.

Article 10

Publicity of proceedings

Debates in the Assembly shall be public unless it decides otherwise.

Article 11

Minutes and summary reports of proceedings

1. The minutes of proceedings of each sitting, containing the decisions of the Assembly and the names of speakers, shall be distributed at the next sitting.

2. The minutes of proceedings shall be published by the European Parliament in the *Official Journal of the European Communities* and by the ACP in whatever form each of them may deem appropriate.

3. A brief summary of proceedings shall be drawn up in English and French and made available to the Assembly for general information. The summary shall not rank as an official document.

Article 12

Agenda

The presidents shall prepare the draft agenda of each meeting of the Assembly on the basis of proposals from the Joint Committee. The draft shall be placed before the Assembly for its approval.

*Article 13***Right to speak**

1. A member of the Assembly may speak only if called upon to do so by the president.
2. On a proposal from the president, the Assembly may decide to limit speaking time.
3. Members of the Council and of the Commission of the European Communities shall be heard at their request.
4. A speaker shall not be interrupted except with his consent and by leave of the president.
5. Members of the Assembly who wish to make a personal statement shall be heard, but only at the end of the sitting.
6. If a speaker departs from the subject, the president shall call him to order. If the speaker persists in departing from the subject, the president may forbid him to speak for such time as he thinks fit.

*Article 14***Right to vote and methods of voting**

1. Voting by proxy is prohibited.
2. Normally the Assembly shall vote by show of hands. If the result of the show of hands is doubtful, a fresh vote shall be taken by sitting and standing. If the result of this second vote is doubtful, or whenever 10 or more members so desire, the vote shall be taken by roll call.
3. The roll shall be called in alphabetical order as provided for in Article 8. The president shall be the last to be called upon to vote. Voting shall be by word of mouth and shall be expressed by 'Yes', 'No' or 'I abstain'. In calculating whether a motion has been adopted or rejected, only votes cast for and against shall be taken into account. Votes shall be recorded in the minutes of proceedings of the sitting in the order of voters' names.
4. If the result of a vote by roll call, after taking into account members who have declined to vote, discloses that a quorum is not present, the vote shall be invalid, and the business in hand shall be suspended until the next sitting or until such time as a quorum is attained, whichever occurs first.

5. A motion put to the vote shall be deemed to have been adopted only if it has secured a majority of the votes cast by the ACP representatives and a majority of the votes cast by the representatives of the European Parliament. In the event of a tie, the motion shall not be adopted. It may be brought up again at the next meeting of the Assembly.

*Article 15***Assembly resolutions**

1. Any member of the Assembly may table a motion for a resolution on matters concerning or covered by the Convention. Such a motion shall not be voted on by the Assembly until it has been printed in the official languages and distributed.
2. The Assembly shall refer motions for resolutions to the Joint Committee, which shall submit to it its findings, including a substantive text to be put to the vote.

*Article 16***Amendments**

1. Any member of the Assembly may table and speak in support of amendments, which shall relate to the text it is sought to alter and be submitted in writing. The president shall decide whether they are admissible.
2. When a vote is being taken, amendments shall have priority over the text to which they relate.
3. On a proposal from the president, the Assembly may decide to fix a time limit for the tabling of amendments.

*Article 17***Questions for written answer**

1. Any member of the Assembly may put questions for written answer to the Council.
2. The questions shall be submitted in writing to the Chairmen of the Joint Committee who shall decide whether they are admissible and, if such is the case, forward them to the Council, which shall give

an answer within three months of receiving them. The admissibility of a question shall be governed by the scope and terms of the Convention.

3. Questions to which an answer has been given shall be published by the European Parliament, together with the answers thereto, in the *Official Journal of the European Communities*, and by the ACP in whatever form each of them may deem appropriate.

4. Questions to which no answer has been given within three months shall be published in the same manner.

Article 18

Questions for oral answer

1. Any member of the Assembly may put questions for oral answer to the Council.

2. The questions shall be submitted in writing to the Chairmen of the Joint Committee not later than six weeks before the meeting of the Assembly.

3. The Chairmen of the Joint Committee shall decide as to the admissibility of oral questions. This shall be governed by the scope and terms of the Convention. Questions declared to be admissible shall be forwarded to the Council.

4. Questions shall be brief. They shall relate to specific points, not to problems of a general nature.

5. The Assembly shall set aside not more than half a day during each meeting for dealing with questions for written answer.

6. The questioner shall present his question briefly. The Council shall give a brief answer. After an answer has been given, supplementary questions may be put, at the discretion of the president, for the purpose of elucidating it; the president may, however, refuse any question which in his view introduces matters not relevant to the original question.

7. At the request of 10 or more members of the Assembly, the answer of the Council may be followed by a debate. The president shall fix a time limit for this debate.

Article 19

Report on the activities of the Council

1. The report on the activities of the Council shall be printed in the official languages and distributed. It shall be examined by the Joint Committee.

2. After a general discussion, the Assembly shall take a vote on the Committee's findings, which shall be submitted in the form of a motion for a resolution.

Article 20

Requests by the Council for an opinion

1. If the Assembly is asked to deliver an opinion on a draft Decision, resolution, recommendation or opinion of the Council, the request shall be submitted to the Joint Committee.

2. The Committee may give a final ruling on a matter declared to be urgent by the Council.

Article 21

Joint Committee

1. There shall be set up a Joint Committee, hereinafter called 'the Committee', consisting of one representative from each of the ACP States and of an equal number of representatives from the European Parliament.

2. The Committee shall have two chairmen.

3. The Committee shall be elected by the Assembly from among its members at each annual meeting. The representatives of the European Parliament on the one hand, and the ACP representatives on the other, shall nominate their candidates, in each case in accordance with their own procedure. The number of candidates put forward shall not exceed the number of seats to be filled. Each list of candidates shall also include a candidate for the office of chairman. Candidatures shall be submitted to the Bureau, which shall place them before the Assembly.

4. Between meetings of the Assembly, the Committee shall meet once a year on the initiative of its chairmen. If necessary, an extraordinary meeting may also be convened by decision of the Presidents of the Assembly.

5. Apart from the committees that may be set up by the Assembly under Article 80 (5) of the Convention, *ad hoc* consultative committees composed on a basis of parity may be set up by the Committee to carry out specific tasks while the Committee is at work.

6. Meetings of the Committee shall be held in private unless it decides otherwise.

7. The Committee may depart from the provisions concerning Assembly languages, provided that all its members are able to take an effective part in the proceedings.

8. A motion put to the vote shall be deemed to have been adopted only if it has secured a majority of the votes cast by the ACP representatives States and a majority of the votes cast by the representatives of the European Parliament. In the event of a tie, the motion shall not be adopted. It may be brought up again at the next meeting of the Committee.

9. The minutes of proceedings of each meeting of the Committee shall be submitted for approval at the next meeting.

Article 22

Secretariat

The Secretary-General of the European Parliament and a person appointed by the president representing the ACP shall jointly take all the necessary steps to facilitate the work of the Assembly and of the Committee. They shall be answerable to the Assembly Bureau.

Article 23

Financial regulations

On a proposal from the Bureau, the Assembly shall lay down its financial regulations.

Article 24

Revision of the Rules of Procedure

Amendments to the Rules of Procedure shall be decided on by the Assembly on a proposal from the Bureau.
