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O P I N I O N

of the Committee on Development and Cooperation

for the Committee on External Economic Relations

on the Proposal for a Council Decision concerning the conclusion of a Cooperation Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka on Partnership and Development (COM(94)0015 - 6034/94 - C4-0124/94 - 94/0029(CNS))

(Opinion in letter form)

- * Consultation procedure
simple majority
- **I Cooperation procedure (first reading)
simple majority
- **II Cooperation procedure (second reading)
simple majority to approve the common position
absolute majority of Parliament's component Members to reject or amend the common position
- *** Assent procedure
absolute majority of Parliament's component Members to give assent
except for simple majority under Articles 8a, 105, 106, 130d and 228 EC

- ***I Codecision procedure (first reading)
simple majority
- ***II Codecision procedure (second reading) (PE 210.167/fin.)
simple majority to approve the common position
absolute majority of Parliament's component Members to either adopt a declaration of intent to reject the common position or to confirm the selection of the common position
- ***III Codecision procedure (third reading) (PE 209.998/fin./Ann.)
simple majority to approve the joint text
absolute majority of Parliament's component Members to reject the Council text

OPINION

of the Committee on Development and Cooperation

Letter from the Chairman of the committee to Mr DE CLERCQ, Chairman of the Committee on External Economic Relations

Strasbourg, 15 November 1994

Subject: Proposal for a Council Decision concerning the conclusion of a Cooperation Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka on Partnership and Development (COM(94)0015 - 6034/94 - C4-0124/94 - 94/0029(CNS))

Dear Mr De Clercq,

At its meeting on 14 November 1994 the Committee on Development and Cooperation considered the above subject and it adopted the following conclusions.

The Committee welcomes the agreement, which further strengthens the links between the European Community and Sri Lanka, and which represents a major improvement on its predecessor. The original Commercial Cooperation Agreement between the EC and Sri Lanka was signed in 1975 but the unstable internal political situation obtaining in that country for most of the intervening period militated against its full implementation. In fact the Joint Commission provided for in that agreement only met twice. Nevertheless, despite certain diplomatic tensions over human rights matters, notably during the period of the JVP uprising and its suppression, cooperation between the Community and Sri Lanka has progressed satisfactorily, particularly in the commercial sector. For seven of the last eight years Sri Lanka has had a positive trade balance with the EC, amounting to over 160 mECU in 1993. This is evidence of the dynamism of the Sri Lankan economy which, were it not for the continuing civil strife resulting from the Tamil separatist movement in the North and East organised by the Liberation Tigers of Tamil Eelam (LTTE), would possibly be among the most advanced in Asia. The expenditure resulting from the war effort has led to an overall trade deficit and external debt amounting to some 75% of GNP.

The new Cooperation Agreement on Partnership and Development signed on 18 July 1994, on which Parliament was not consulted until 15 September 1994, is one of the most far-reaching agreement ever concluded with an Asian country. It is a non-preferential framework cooperation agreement including most favoured nation status. The Agreement opens up possibilities for action in a wide range of sectors, including inter alia

- trade cooperation
- economic cooperation, investment, notably in the private sector
- intellectual property
- science and technology
- energy, including non-conventional energy and energy efficiency
- metrology and standards
- agriculture and fisheries
- tourism

- information, culture and communications
- the environment
- human resource development
- drug abuse control
- regional cooperation.

Two aspects of the agreement are of particular concern to the Committee on Development and cooperation. These concern democracy and human rights, and development cooperation.

Both the preamble and Article 1 make it clear that "cooperation ties between the Community and Sri Lanka and this agreement in its entirety are based on respect for democratic principles and human rights ...". While human rights clauses are now generalised in all the EC's cooperation agreements, the human rights clause has a particular significance in this case. The violence initiated first by the JVP and then by the LTTE gave rise to counterterrorism and human rights violations on the part of the government, albeit democratically elected. Such abuses were strongly condemned by the European Community and particularly by the European Parliament. It is most encouraging to note the marked improvement in the human rights situation over the last three years. The government has accepted 30 out of 32 recommendations regarding human rights proposed by Amnesty International, and a special Presidential Advisor with particular responsibility for human rights was appointed. It is significant that the assassination of President Premadasa on 1 May 1993 by Tamil separatists did not lead to widespread reprisals against Tamils. On the contrary, following her election victory and appointment as Prime Minister in August this year, Mrs Chandrika Kumaratunga reopened dialogue with the LTTE, dialogue that was interrupted following the murder of the principal opposition candidate for the presidency, Mr Gamini Dissanayake, on 23 October. However the presidential election, which resulted in a substantial majority for Mrs Kumaratunga, took place as scheduled on 9 November, with Mrs Srimala Dissanayake, widow of Gamani Dissanayake, standing as UNP candidate. This commitment to democracy must be supported and encouraged, while continuing to insist on full respect for human rights despite severe provocation.

Article 13 of the Cooperation Agreement concerns development cooperation. The EC is to contribute to Sri Lanka's own efforts to achieve sustainable economic development and the social progress of its people. Programmes and projects are to be targeted towards the poorer sections of the population, with particular attention being given to rural development, employment promotion in rural towns, and, especially, the role of women in development and training. This is in accordance with the guidelines laid down by the EP in its report on the Programme for Financial and Technical Cooperation with Asian and Latin American Developing Countries.

Where appropriate, assistance can be channeled through "qualified NGOs mutually acceptable to the Contracting Parties".

The Committee welcomes the inclusion of human resource development (Article 16) as a specific sector for cooperation.

In conclusion, the Committee on Development and Cooperation endorses the Agreement. It emphasises the importance of the human rights and democracy

clause, which should constitute an effective instrument in ensuring respect for human rights in what is still a delicate and sensitive situation.

The Committee notes that the conclusion of the Agreement with Sri Lanka coincides with the entry into effect of the GATT Uruguay Round. This is of real significance for EC-Sri Lanka commercial relations. Every effort should be made to ensure that the expanded trade between Sri Lanka and the Community, much of which will probably be in textiles, will lead to a real improvement in the living standards of all Sri Lankans, and particularly those employed in textile manufacturing, a sector generally distinguished by low wage levels.

Finally, the Committee on Development and Cooperation requests the Committee on External Economic Relations to approve the conclusion of the agreement while taking account of the matters raised above.

Yours sincerely,

(sgd) Bernard KOUCHNER

The following took part in the vote : Kouchner, chairman; Aldo, Andrews, Anoveros Trias de Bes, Baldi, Baldini, Corrie (for Martens); Cunningham, Fernandez Martín, Günther, Hory, Howitt (for Needle); Kinnock, Liese, Maij-Weggen, McGowan, Sakellariou (for Junker); Telkämper, Van Putten (for Pery).