



Eurostep Briefing No. 39

ACP Country Programmes deserve democratic scrutiny

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Key issue:

In 2007, EU aid programmes for Asia, Latin America and neighbouring countries were adopted. They cover the period 2007-2013 and were scrutinised by the European Parliament. This scrutiny followed a battle in which the European Parliament insisted there should be democratic control over EU plans for development co-operation with third countries.

In the coming months the next generation of aid programmes for Africa, the Caribbean and the Pacific will be finalised. In February 2007, the German Presidency announced it would ensure these programmes would also be examined by the European Parliament.

The European Commission is placing strong emphasis on good governance in Africa. The European institutions should lead by example and ensure that there is parliamentary scrutiny over these long-term multi-annual plans.

Political ownership and transparency remains a key pillar to ensure long-lasting support from European citizens to development policy. It is of paramount importance that the European Parliament is able to scrutinise that tax-payers money is spent in accordance with the objectives of development co-operation.

In a broader international sense it would give entirely the wrong message if CSPs to the ACP were singled out as lacking democratic scrutiny. There is no legitimate case for democratic scrutiny over CSPs to all other regions but failing the ACP.

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Justification

1. The need for democratic scrutiny over ACP CSPs is a matter of political will. Any technical obstacles can be addressed and removed.
2. The ACP CSPs are long-term plans which incorporate financial resources disbursed under the DCI (for thematic contributions) and the EDF. The procedure under the DCI is, therefore, applicable to the ACP CSPs.
3. The European Parliament has the right to discharge the DCI and the EDF. By definition it is therefore charged with responsibility for ensuring that the money disbursed through the DCI and the EDF is well spent. This logically extends to the right of scrutiny to ensure that the CSPs are in line with the Cotonou Agreement and the DCI, as is the case for the co-operation programmes with Asia, Latin America and the Neighbouring countries.
4. While the EDF is not part of the EU budget, it functions under the provisions of 'commitology' and under the legal basis for development co-operation provided in the Treaty. It should enjoy full democratic scrutiny as do other regions – in line with past demands by the European Parliament to ensure political accountability over the EDF. Given that the 'commitology' is a closed process such democratic scrutiny is much needed.
5. The European institutions have been working towards an increasing integration of the EDF in the EC budget and harmonised procedures to make this possible. This should be extended to the process of democratic scrutiny.
6. The involvement of the ACP-EU Joint Parliamentary Assembly in the assessment of the CSPs is both welcome and important. National scrutiny over the multi-annual CSPs will help to ensure these are aligned to National Development Programmes, and will be a guarantee for national ownership and national political accountability. Such scrutiny at national level is relevant, but does not replace the need for political accountability in Europe to European citizens and tax-payers.
7. The mandate of the ACP-EU Joint Parliamentary Assembly does not include discharge, nor does the Assembly have budgetary control. It therefore does not replace the process needed in the European Parliament to ensure there is no democratic deficit in European aid to Africa, Caribbean and Pacific countries. The ACP-EU Joint Parliamentary Assembly does not have a scrutiny over the DCI or other budget lines included in the ACP CSPs.
8. The Member States have already informally received a first series of ACP CSPs. The European Parliament should ensure it receives these at this time, in accordance with commitology procedures.

9. On behalf of the European Presidency the German Minister for Development Co-operation announced in early 2007 that the CSPs would be sent to the EP at the same time as these were sent to the Member States Committee. The German Presidency and subsequent Presidencies should ensure this commitment is kept.
10. Any objections by one Member State have no legal implication on the procedure for democratic scrutiny. There is no right to Member States' veto on the procedure for democratic scrutiny by the European Parliament.
11. Commissioner Ferrero-Waldner and Commissioner Michel stated by letter in 2006 that European Parliamentary scrutiny over the DCI CSPs was important, and co-operated with the European Parliament to make this possible. It should be expected that the Commissioners would welcome a similar level of democratic scrutiny for the ACP CSPs.

Proposed next steps

The following steps are urgently needed:

1. The European Parliament should ensure that it receives the ACP CSPs informally as or when they have been received informally by the EU Member States;
2. The European Parliament should express its wish to exercise democratic scrutiny to the European Commission, Presidency and member States Committee;
3. The informal working groups of the European Parliament that are implementing the right for scrutiny over the CSPs in development co-operation should discuss modalities and a time-table for the scrutiny process of the ACP CSPs;
4. The co-ordinators of the Development Committee of the European Parliament and the ACP-EU Joint Parliamentary Assembly should arrange a process that reinforces the democratic scrutiny of the ACP CSPs;
5. The European Commission should welcome an initiative by the European Parliament to ensure democratic scrutiny of the ACP CSPs and discuss a realistic time-table with the Parliament which allows a proper process of scrutiny without jeopardising the disbursement flow to the ACP;
6. The Presidency should ensure that the European Parliament is fully informed and the democratic process of the European Union is upheld.