ACP/EU relations, Lome IV Convention: human rights, democratisation, article 366 a for consultations

1996/0050(AVC) - 11/03/1999 - Final act

PURPOSE: to establish a procedure under the Lomé Convention for the partial or full suspension of cooperation in cases of serious abuse of human rights. COMMUNITY MEASURE: Council Decision 1999/214/EC regarding the implementation of Article 366a of the Fourth Lomé Convention. CONTENT: According to the Lomé Convention, respect for human rights, democratic principles and the rule of law (Article 5 of the Mauritius Agreement amending Lomé IV) constitutes an essential element of the Convention. In Article 366a, the Convention provides that a party (the Community and its Member States or any of the ACP States) which considers that another party has failed to fulfil an obligation in respect of Article 5 of the Mauritius Agreement, may invite that party to hold consultations with a view to examining the situation and resolving it. To this end, Article 366a provides that a specific procedure should be applied containing the precise time limits for consultations. This decision fixes the procedure to be followed in such cases. Hence, it provides that the Council, acting by a qualified majority, will invite the ACP State concerned to hold consultations. On expiry of the time limit provided for by Aricle 366a of the Convention (or else immediately in case of urgency or refusal to hold consultations), the Council may, acting by a qualified majority, decide to partially suspend cooperation. It should be noted that the European Parliament shall be immediately and fully informed of any decision to suspend or withdraw cooperation. However, it will not be allowed to take the initiative in this area and its assent for the suspension or resumption of cooperation will not be required, as it had wanted. The measures decided upon will remain in force for as long as necessary and cannot be modified except by means of a Council decision. To this end, the Council will review at least every six months the measures taken. In fields covered by the Convention and falling within the competence of Member States, the Member States may authorise the Council to cover these fields in adopting decisions relating to consultation or suspension of the Convention. ENTRY INTO FORCE: 12/03/1999.