

ACP-EU JOINT PARLIAMENTARY ASSEMBLY

ACP-EU 3754/05/fin.

RESOLUTION¹

on post-conflict rehabilitation in ACP countries

The ACP-EU Joint Parliamentary Assembly,

- meeting in Bamako from 16 to 21 April 2005,
- having regard to Article 17(1) of its Rules of Procedure,
- having regard to the ACP-EC Partnership Agreement, signed in Cotonou, Benin on 23 June 2000², which entered into force on 1 April 2003, and in particular Article 11, Title II, on peace-building policies, conflict prevention and resolution,
- having regard to the review of the Cotonou Agreement, and efforts on both sides to improve and further clarify the modalities and mechanisms for post-conflict rehabilitation,
- having regard to its resolution on conflict prevention and resolution and the establishing of a lasting peace, adopted in Addis Ababa on 19 February 2004,
- having regard to its resolution on children's rights and child soldiers in particular, adopted in Rome on 15 October 2003,
- having regard to its resolution on the rights of the disabled people and older people in ACP countries, adopted on 1 November 2001,
- having regard to the resolution of the European Parliament of 26 October 2000 on the Commission communication to the Council and the European Parliament on cooperation with ACP countries involved in armed conflicts,
- having regard to the resolutions adopted by the European Parliament on 11 April 2002 and 4 July 2002 (Angola) and on 15 January 2004 (Burundi), especially in relation to the respective donors' conferences,

¹ Adopted by the ACP-EU Joint Parliamentary Assembly on 21 April 2005 in Bamako (Mali)

² OJ L 317, 15.12.2000, p. 3.

- having regard to the report of the European Parliament on the Commission communication to the Council and the European Parliament on linking relief, rehabilitation and development – an assessment of December 2001(A5-0464/2001),
 - having regard to the New Partnership for Africa's Development (NEPAD), the framework document of which was signed in Abuja, Nigeria, in October 2001,
 - having regard to the pioneering role played by the EU in the establishment and implementation of the Kimberly Process with respect to blood diamonds and the Ottawa Convention on Landmines,
 - having regard to the report of the Political Affairs Committee (ACP-EU/3754/A/fin.),
- A. whereas at least 26 of the 79 ACP countries are in a post-war situation or still suffering the effects of recent armed conflicts, representing the majority of the population of these states, and consequently due account has to be taken of the importance of this issue for the ACP group,
 - B. whereas emergency aid and rehabilitation are a current and vital issues on the political agenda of these states, and accordingly of ACP-EU cooperation as well,
 - C. recognising the important role of the ACP-EU JPA in this field, as it is a forum and political environment where member countries have the framework to conduct diplomatic negotiations, contributing to the confidence building between them and to reaching a peaceful solution for any conflict among them, or to gain experience from each other regarding internal conflicts,
 - D. defining a post-conflict state as one where parties have already signed the peace accord, starting the process of moving from demilitarisation and peace-keeping to peace-building, from cease-fire to deep reconciliation, full democratisation and implementation of the rule of law, from emergency aid and relief to rehabilitation, reconstruction and long-term development,
 - E. stressing that each transition from violence to peace is unique, depending on such factors as the nature, scale and degree of violence, the intensity of division in society and the previous and post-transition balance of power,
 - F. whereas there is an urgent need to mainstream a gender perspective into conflict prevention and resolution, peace-building, peacekeeping operations, rehabilitation and reconstruction and to ensure that, where appropriate, field operations take into account the problems specific to both men and women,
 - G. whereas conflicts in ACP states, especially in Africa, are increasingly taking on a regional or international dimension, with the involvement of neighbouring countries and third countries, and whereas they are frequently fuelled by transnational economic or political interests,

- H. whereas the illegal and illicit exploitation of the natural resources and other assets of certain ACP countries is, to an increasing extent, one of the fundamental causes for the outbreak and prolongation of conflicts in these countries in general and Africa in particular; whereas such practices should therefore be ended as swiftly as possible by every means available in order to consolidate peace and ensure good governance,
- I. stressing that successful post-conflict rehabilitation, including effective poverty-reduction strategies and measures in the framework of the global fight against poverty, contributes to the global fight against terrorism; that such measures, ensuring at the same time effective state control, reduce the chance for terrorist planning and activities in the territory of the state concerned,
- J. considering the current focus of global public opinion, when increased world-wide public attention and importance are given to the problems of developing countries, resulting from the recent earthquake and tsunami disaster in the Indian Ocean; deploring the fact that ongoing conflict or post-conflict situations in some affected areas made it even more difficult to assist the suffering populations,
- K. underlining that, although the post-conflict situation requires a special individual approach, there are many similar problems and solutions in these cases, and that therefore experience and best practices of ACP members can be used as examples for other affected member countries,
- L. recognising that successful post-conflict rehabilitation of the affected countries is a condition for achieving effective development results, as there is no development without peace, no peace without reconciliation, no reconciliation without democracy and no democracy without justice,
- M. whereas experience has shown that many peace agreements often fail when they are not linked to the establishment of effective mechanisms for the control and implementation of peace and democratisation programmes, and of instances of regular, open and serious political dialogue, which, besides ensuring the real effectiveness of written texts, help also to build mutual trust, to consolidate mutual respect and to encourage reconciliation,

Emergency aid and the link between relief, rehabilitation and development

- N. stressing that the parallel inclusion of the concepts of providing short-term relief and at the same time long-term rehabilitation in a post-conflict situation is vital to avoid unanticipated side-effects of emergency aid, such as the disappearance of local production systems and over-dependence on imports,
- O. whereas the need to bridge the gap between various phases of international assistance in ACP countries is becoming more apparent as post-conflict situations are increasingly complex in terms of participant groups and territorial dimensions, as well as having greater volatility, where there are fluctuations in the intensity of

violence both temporally and regionally, and there is a fine line between stability and renewed upheaval,

- P. whereas the international community must not frustrate the expectations raised by the announced promotion of donors' conferences to fund relief, rehabilitation and development projects following the end of long-lasting and destructive armed conflicts,
- Q. whereas the link between relief, rehabilitation and development (LRRD) needs to be further addressed by donors, beneficiaries and implementing partners,
- R. whereas conducting efficient post-crisis rehabilitation entails higher political and technical risks for donors as beneficiary partners may be unstable or absent,
- S. whereas rehabilitation interacts with reconciliation and reconstruction, is crucial to rebuilding government legitimacy, and cannot be seen as simply restoring the pre-war situation,
- T. whereas post-conflict rebuilding of a state should at the same time incorporate efforts to prevent future conflicts,
- U. underlining the importance of providing the decision-makers of affected countries with adequate background information on the experience and best practices of the international community, civil organisations and the European Union,
- V. underlining that when, following a natural disaster of large proportions (earthquake, flooding, tsunami, hurricane, storm, etc.), the post-disaster situation facilitates reaching a peace agreement between parties in conflict, such peace agreements pressured by shared tragedy and humanitarian emergency need to be embedded and further consolidated, to prevent their disruption as soon as the crisis fades away,
- W. stressing the importance of humanitarian aid and the fact that it should preferably be supplied solely via civilian and diplomatic channels; underlining, however, that military personnel can be involved in humanitarian operations to facilitate the work of civilian humanitarian aid workers, for instance by securing airports and roads, repairing bridges, clearing mines and evacuating victims,

Social and professional reintegration

- X. considering that restoring a healthy society is one of the major challenges after an armed conflict, as most of the social structures are destroyed, – such as families, local and religious communities – many people are declared missing, and there are often massive numbers of short and long-term IDP (internally displaced persons) and refugees,
- Y. whereas failure to address mental health and psychological disorders in populations that have experienced mass violence and trauma caused by conflict will impede

efforts to enhance social capital, promote human development and reduce poverty,

- Z. whereas the reintegration of ex-combatants from all armed forces, whether men or women, represents a crucial social problem and is an absolute key factor for stabilisation, preventing the renewed outbreak of conflicts or the emergence of banditry, violence and anarchy,
- AA. whereas the rapid disarmament of civilians and of any kind of formal or informal militias is paramount for order, security, freedom and stability,
- BB. underlining that special care and attention are needed for children and youth groups in and after armed conflicts, as many of them became child soldiers, or were victims of violence or sexual abuse,
- CC. whereas many civilians become disabled and victims, many others are at risk of being injured or killed by anti-personnel landmines and unexploded ordnance as a result of the armed conflicts,
- DD. whereas conflict situations increase the vulnerability of existing disabled people and their families and a discriminatory response between war disabled people and pre-war disabled people needs to be avoided by adopting a comprehensive rights-based approach,

Reconciliation

- EE. underlining that armed conflicts cause deep personal traumas to the civilian population and former combatants, a fact which has to be taken into consideration when planning the rehabilitation process,
- FF. whereas the setting up of a special committee or independent body in a post-conflict process could play an important role in investigating the violations that took place during the conflict and providing support and compensation for victims and their families,
- GG. whereas full and objective recording of the effects of the conflict on civilians and military staff in independent truth and reconciliation commissions may be one of the most important steps in the reconciliation process,
- HH. highlighting the role that churches and religious communities or organisations, traditional community leaders and civil society, in the form of national NGOs and fora, could play in promoting peace or providing mediation by creating opportunities to debate and settle differences,
- II. stressing the important role of the International Criminal Court in the struggle against impunity,

Transition towards a democratic society, including preparations for elections

- JJ. whereas the deplorable state of political and administrative systems in many ACP countries constitutes a major obstacle to sustainable development,
- KK. whereas democratic and transparent institutions are key elements for enhancing efficient development strategies,
- LL. considering it vital to apply the participatory ownership principle, as underlined in the 'New Partnership for Africa's Development' (NEPAD), so that beneficiary countries themselves have to be responsible for and actively participate in managing their own development process,
- MM. whereas the EU must regard the African Union as a partner,
- NN. stressing that stable and durable post-conflict peace is only possible through national reconciliation, effective justice, freedom, pluralism and democracy, and with the active involvement of civil society in the full peace process,
- OO. whereas democratic elections, as a platform to express the different personal political opinion of voters, represent a very important step for countries under reconstruction, which are eager to become democratic societies,
- PP. recognising the responsibility of the state in restoring security, through the process of transition towards democracy; stresses the need to ensure the necessary security conditions for the holding of elections in a post-conflict country, namely freedom of assembly and the free expression of opinion by competing parties, together with the personal safety of voters,
- QQ. considering that equality between men and women and women's participation in the decision-making process, either at legislative or in executive level, are essential elements of good governance,
- RR. recognising that the participation of non-state actors and civil society is vital in the transition towards democracy,
- SS. considering that the freedom of the media is one of the essential elements of democratic elections, as citizens should have the right to be informed about different political views, and whereas there should be no restrictions on media access,
- TT. recognising the progress made in the implementation of the relevant provisions of the Cotonou Agreement and, in particular, those concerning political dialogue and peace-building policies (Title II, Articles 8 and 11.),

1. Reaffirms the involvement and participation of the ACP-EU JPA as an actor that contributes to conflict prevention and post-conflict rehabilitation in the African, Caribbean and Pacific regions;
2. Calls on the members of the ACP group to use ACP-EU cooperation as a means for confidence-building and to cooperate with member countries that are in conflict in order to arrive at a peaceful solution, and work together to further reconciliation and democratisation, as well as rehabilitation and development;
3. Calls on the EU and ACP institutions and decision-makers to seek close cooperation with regional organisations such as the African Union (AU) or the Economic Community of West African States (ECOWAS) and to provide these organisations with adequate resources, both material and non-material, to enable them to make a contribution of their own to conflict resolution;
4. Requests those ACP members which have successfully conducted the rehabilitation process to share their best practices with other members;
5. Stresses the need to draw up security strategies which are appropriate to the situation and can effectively counter resurgences of violence and protect the civilian population against abuses; notes that in this context security checks by combined patrols by former parties to conflicts can promote confidence among the population provided that those concerned have been adequately trained for these duties, for which purpose sufficient resources must be made available;
6. Notes how vital it is to identify the causes of a conflict with care and to incorporate the findings into security strategies, for example by facilitating access to political responsibility for disadvantaged groups or striking a better balance among conflicting interests in resources such as land or water;
7. Supports the setting-up of hearings in national parliaments as well as in the European Parliament on the progress of conflict resolution and post-conflict rehabilitation activities by the National Authorising Officer and the EC Delegation concerned;
8. Calls on the European Commission, the EU Member States and the EDF Committee to cooperate closely on rehabilitation programming with the representatives of ACP countries, so that decision-making can involve leaders from the regions affected, and to attempt to ensure a coherent response at EU level to the post-conflict situation in ACP countries;
9. Requests the European Commission to improve coordination between its services, between itself and the Member States and between donors, to draw up strategy documents which facilitate analyses and coherence between different EU policies, as well as coordination and complementarity between different donors;
10. Calls upon donors to conduct an appropriate analysis of the structural causes of conflicts and to establish of global frameworks defining priority sectors and

measures, to advocate a balance between actions aimed at political, economic, legal, social, environmental and military stabilisation and to achieve convergence between the objectives of peace and development;

11. Believes that reconstruction work should take account of the local environment, whether urban or rural, and that the aftermath of reconstruction must not result in damage to the environment;
12. Supports the efforts of regional bodies to reinforce peace processes and post-conflict rehabilitation;
13. Calls on the European Union and its Member States to take action internally and in close cooperation with the ACP countries concerned in order to combat the illegal and illicit exploitation of their natural resources and other assets;

Emergency aid and the link between relief, rehabilitation and development

14. Calls on the European Commission and other donors to integrate the concept of rehabilitation and development from the starting phase of a post-conflict situation, since the different phases of the rehabilitation process overlap; stresses that frequently, even during the armed conflict, it is possible to make the first steps towards relief and rehabilitation and that, therefore, these programmes should be started as early as possible; strongly recommends that churches and religious communities or organisations, traditional community leaders, politically independent NGOs and civil society at large be associated and involved in these programmes from a very early stage, and that women should participate in them on an equal footing;
15. Calls on the EU and other donors, in close coordination with local authorities, to finance programmes of physical, political, social and economic reconstruction that take a comprehensive approach, incorporating rehabilitation, peace-building, promotion of human rights and personal freedoms, stimulating private initiative, and economic growth and long-term development;
16. Asks the European Commission and the EU Member States to give the strongest possible support to the effective and successful promotion of donors' conferences for Angola, Burundi and the Democratic Republic of Congo, as soon as the post-conflict situation has proven to have been stabilised, encouraging and supporting substantial steps towards democratic consolidation in these countries;
17. Urges the European Commission to adapt its financial instruments and procedures in order to make them more flexible and effective – as is stressed in the Cotonou Agreement – so that adequate financial and human resources can be made available in a short period of time in post-conflict situations;
18. Requests the post-conflict ACP states concerned to provide all possible means during the phase of humanitarian relief operations and to make efforts – if necessary

involving police or military forces, whenever such support is requested by NGOs in the area – to guarantee free access to humanitarian aid, facilitate the work of humanitarian aid workers, and guarantee their personal safety and working conditions;

19. Requests that a participatory approach be included in a multi-dimensional strategic rehabilitation framework, so that humanitarian relief is directed through local actors, via an inclusive partnership which could attempt to bring together different local actors on an equal basis;
20. Expects women to be involved, on an equal footing, in all planning and decision-making processes relating to conflict resolution strategies, with genuine responsibilities will be entrusted to them;
21. Underlines the need for a local level presence on the part of donors and non-governmental organisations; therefore, welcomes the recent external reform of the European Commission to decentralise decision-making processes giving more autonomy and to increase the capacities of its Delegations in ACP countries;
22. Emphasises that there should be no single model for relief, rehabilitation and development, and that the major guidelines have to be adapted to the special needs of a given conflict, based on a pre-assessment of the circumstances; however, the programmes must always be designed with a view to equity so that all sections of the population may benefit from them;
23. Underlines the need for continuous dialogue and cooperation between peace-keeping and peace-building personnel in ACP countries - as their roles and mandates often overlap and conventional peacekeeping operations have extended into the areas of reconstruction and rehabilitation - especially on civil-military coordination, given the need to reduce confusion, clarify distribution of tasks and avoid duplications;
24. Calls on the European Commission other donors and the beneficiaries not to see the post-conflict process as a linear one, starting from emergency aid, followed by relief and rehabilitation and ending with development, but to take into account that phases overlap and integrate relief and development elements into the rehabilitation process, which will help lessen disruptions in planning and funding during crises;
25. Stresses the importance of including in post-conflict rehabilitation strategies, the objective of preventing future conflicts in all phases of a post-conflict rehabilitation;
26. Stresses the importance of associating both national and, where they exist, regional parliaments in post-conflict management and of directly involving their elected members in these tasks;
27. Calls for the integration of sub-national (local) rehabilitation plans in a given conflict, as in many cases a country is divided into areas where the level of required assistance may differ and zones with violent conflicts may border on regions where

rehabilitation is already required; considers it important that they have some level of direct cooperation with the state, regional and local authorities;

28. Calls for a regional and multilateral dimension to be integrated into rehabilitation strategies, as conflicts tend to spill over borders, and equally the causes of conflicts frequently have multi-country regional aspects; notes that regional neighbours can contribute a good deal to conflict resolution but should not intervene in conflicts improperly and should respect the territorial sovereignty of neighbouring States;
29. Underlines the importance of adopting a comprehensive rights-based approach to rehabilitation strategies, including disabled people;
30. Encourages donor participation and engagement as an important sign to the post-conflict state, as well as raising the awareness of other possible donors and supporting their participation in the mediation process to reach a peaceful solution; however, at the same time, they need to adopt an impartial approach throughout the whole process, as the political environment is fragile;
31. Urges donors and policy-makers at different levels to cooperate in their strategy, planning and activities in the field, and in setting up a lead agency for rehabilitation among themselves, in cooperation notably with the United Nations and other international organisations, and to share information and experience in a flexible and responsive manner; urges beneficiaries to collaborate with donors at national and local level;

Social and professional reintegration

32. Calls for both victims of and combatants in violent conflicts to be reintegrated into civil society in all its aspects, in particular its economic, social, educational, cultural and political aspects;
33. Believes that restoring the good physical and mental health of the population must be a priority in post-conflict situations, but that there will be many people physically and mentally damaged permanently or for long periods and special care must be taken to ensure that their condition is treated and cared for and that they are enabled to play as full a part in society as their condition permits;
34. Calls on the EU, other donors and the ACP states to address mental health disorders and psychological problems arising from conflicts as part of post-conflict reconstruction and reconciliation efforts;
35. Urges its post-conflict member states to engage at government and local level in disarmament, demobilisation and reintegration (DDR) programmes for social and economic reintegration of ex-combatants;
36. Recommends that DDR strategies be rethought in order to, possibly even during the pre-demobilisation stage, involve and employ directly former combatants in basic

infrastructure rehabilitation works, in the framework of programmes that, as a whole, can serve as a powerful reconciliation tool, as an effective professional training and social reintegration mechanism, as a means of preventing large-scale unemployment, poverty and social unrest, as a practical means of ensuring in a shorter period and with a lower cost the creation of minimum conditions for populations to resettle and for normal economic and social life to resume;

37. Stresses that direct participation in public infrastructural reconstruction programmes may be of value during the process of disarmament and rehabilitation of ex-soldiers, while their participation in professional training courses will increase the possibility of them fulfilling a useful role in society;
38. Recommends that all internationally funded DDR programmes involve in their respective management not only the ruling power, but all former fighting parties or factions, in order to ensure fairness, to build mutual trust and to guarantee efficiency at the grass-roots level;
39. Calls on the European Commission and the international donor community to invest in the economic revitalisation of post-conflict ACP countries, for example by supporting financial reconstruction of small and medium-sized enterprises and family farms in order to accelerate job creation, and to set up vocational training centres, with a view to securing the revenue needed for the re-development of social services; recommends that special attention be given in this field to the possibility of deploying and supporting small business programmes and microcredit;
40. Notes that in any post-conflict situation disabled people are likely to feel the negative impact of the crisis more keenly than other citizens; their ability to cope and survive may be completely dependent on others and the capacity of any family to support its disabled members is keenly tested;
41. Calls on the international community and governments to seize the opportunity to rebuild the infrastructure according to universal design and accessibility standards when major reconstruction efforts are undertaken;
42. Stresses the need to place a special focus on female ex-soldiers' problems as well as women who have been victims of physical violence, rape or sexual abuse;
43. As to children affected by armed conflicts, urges that special attention and close care be devoted to child soldiers' education and reintegration and to the specific dramatic problems and urgent needs of orphans, of those physically, sexually or psychologically abused, and of IDP or refugee children who have been abruptly cut off from their schools, friends and natural environment;
44. Stresses that rehabilitation can only be successful if the problem of refugees and internally displaced people is solved by helping their voluntary and safe return to their homes and providing help with the reconstruction process, and through the deployment of peace-keeping forces, if appropriate;

45. Urges donors and beneficiaries to set up special projects for the most vulnerable members of society, i.e. children and youth groups, which should focus on education and vocational training to facilitate the reintegration of ex child soldiers and those girls and boys who were affected by wars, armed conflicts, displacement, drought, hunger, natural disasters, HIV/AIDS, those who had been used in human trafficking, all of them therefore deprived of education, as well as setting up recreation and sport facilities for them and provide special psychological care, where possible within the education system, to help them to cope with their war trauma; welcomes the appeals made in this context by international organisations such as UNICEF;
46. Stresses the key role that schools can have in post-conflict situations, as children are highly dependent on their capacity to provide not only quality education but also physical protection, psychological assistance and basic services such as health care, water and sanitation;
47. Calls on its post-conflict member states to facilitate and contribute to the work of donors and non-governmental organisations in the demobilisation of child soldiers, advising them and securing their release from the armed forces and groups, to facilitate their disarmament and re-integration into the family where appropriate and society, and protect them from violence, abuse, exploitation and discrimination;
48. Calls on the international community and beneficiaries to set up special projects that provide extensive care for women and girls who became victims of armed conflicts and guarantee respect for their human rights; as rape is widely practised as a weapon of war, forced pregnancy and war trauma affect many of the female civilian population; protection must also be given to children born of rape, and all these issues need to be addressed and solved in a successful social rehabilitation process;
49. Requests those states whose territories are contaminated with landmines to set up special programmes for the social re-integration of disabled landmine victims and survivors, in the field of medical care and financial support, whilst ensuring that these programmes target the whole of the disabled population, as well as organising effective mine risk education for the population, in particular for children, actively conducting mine-clearance and refraining from using, stockpiling or trading anti-personnel landmines;
50. Is aware that the damage caused to the natural and marine environment by spent and unspent munitions needs particular attention for both health and safety and environmental reconstruction reasons;
51. Calls on those member states of the ACP-EU JPA which have not signed or ratified the Ottawa Convention (Mine-Ban Treaty) or the UN Convention on Certain Conventional Weapons to do so without delay;
52. Calls on those ACP and EU states that joined the Ottawa Convention to implement its provisions, in particular its anti-personnel landmine clearance obligation by the date set by themselves, in accordance with the Nairobi Action Plan for 2005–2009;

Reconciliation

53. Underlines the importance of investigating human rights abuses and rape, torture, arrests and killings in an impartial and objective manner;
54. Believes that truth commissions have the potential to generate many benefits for societies in transition, although they may not always be appropriate in every context; stresses the importance of active involvement from many different sectors of society in such commissions; emphasises that after completion of an objective final report – including, in view of its particular relevance, a section devoted to children, drawn up with the involvement of children and young people – all actors should do their utmost to implement the commission’s recommendations;
55. Acknowledges the importance of the experiences of the truth and reconciliation commission in South Africa, but stresses the importance of adapting the methodology to local circumstances;
56. Points out that amnesties may be a reconciliation instrument, provided that they are prepared and decided in a wise, fair and balanced manner and are not unfairly exploited as an instrument to block justice, to cover up hideous crimes and to escape huge responsibilities;
57. Believes that justice is the main domain where the international community can be directly involved in processes that have a reconciliation potential, as shown by the ad hoc tribunals in The Hague and Arusha, the International Criminal Court (ICC), the UN-initiated tribunals in Cambodia and Sierra Leone, and the implementation of the principle of universal jurisdiction;
58. Considers it necessary to ensure, through the International Criminal Court, ad hoc tribunals or national independent courts, according to the different kind of situations, that acts of genocide and other hideous crimes do not remain unpunished, that justice is done, that the truth is established and that reparation is made to the victims;
59. Stresses that the International Criminal Court can play a paramount role in breaking the vicious circle of impunity, by bringing to justice the main instigators and perpetrators of severe human rights violations; is convinced that this can create an atmosphere in which amnesty for and reintegration of all ex-soldiers is possible;
60. Believes the international community could assist in negotiating reconciliation programmes into peace agreements, drafting suitable domestic legislation and protecting those who will be locally responsible for the implementation of such programmes and legislation; stresses that official agencies have an important role to play in drafting international guidelines that can strengthen local political and civil society leaders, such as the UN guidelines on the fight against impunity; stresses the importance of international reporting and monitoring mechanisms;

61. Deplores the pressure exerted by the United States on third countries to conclude Bilateral Immunity Agreements, purportedly based on Article 98 of the Rome Statute, excluding its citizens and military personnel from the jurisdiction of the ICC, as well as the reprisals taken – including reduction of aid – against countries which have signed the Rome Statute; therefore asks the States supporting the ICC and the European Commission to maintain their efforts to persuade the United States to reverse its policy and in the interim to seek to help these countries following any cuts in US aid;
62. Urges that action be taken to ensure the personal safety of victims appearing before the truth committee and, if needed, giving special attention to women by setting up special hearings for women and children as the most vulnerable groups in society; stresses that women should not only be heard as victims but also actively involved in the reconciliation process;
63. Recommends that religious and traditional leaders be involved as prominent actors in the reconciliation process and suggests that the wisdom of the elders be considered, used and respected;
64. Stresses that the restoration of the state and its authority is essential to safeguard the electoral process and stabilise on a lasting basis the institutions in those countries facing post-conflict situations; calls on the European Union and its Member States to devote particular attention to this under the ACP-EU partnership arrangements;
65. Deems essential the promotion of a culture of peace and tolerance through the development of mutual solidarity among citizens, and calls upon all politicians and political and social leaders, religious organizations and civil society to convey to the population signals and messages of peace, reconciliation and national unity;
66. Calls on post-conflict states to pursue an economic and social policy that ensures the harmonious and balanced development of the people and the nation, as well as a policy of peaceful resolution of social problems and reconciliation;
67. Urges former conflicting parties to engage in a regular, open, serious, in-depth and extensive political dialogue immediately once peace agreements have been reached;

Transition towards a democratic society, including preparations for elections

68. Reaffirms, as stated in the Cotonou Agreement, that democratic principles are universally recognised and underpin the organisation of the state, ensuring the legitimacy of its authority and legality of its actions reflected in its constitutional, legislative and regulatory system;
69. Reaffirms its commitment to a democratic system of government, inspired by the realities of its respective countries, which guarantees security, freedom and justice for all, within the framework of the rule of law, and is founded on the values of unity without exclusion;

70. Supports compliance with the principle of good governance – a fundamental element of the ACP-EU Partnership – including separation of powers, the rule of law, transparency and accountability in the management of public affairs and of natural and financial resources, for the purpose of equitable and sustainable development;
71. Stresses that it is important to increase institutional capacities – of both central and local institutions – to fight corruption; also stresses the importance of restructuring the public administration and empowering civil servants to perform their duties, so as to serve all users of public services with efficiency, courtesy, honesty, impartiality and equity;
72. Emphasises the importance of respect for human rights and fundamental freedoms; encourages reference should be made to the rule of law, when determining the structure of the state and the competencies of the various powers;
73. Deems it essential to ensure an environment of general respect for fundamental human rights and recommends that, from a very early stage following the end of an armed conflict, human rights education programmes be put in place;
74. Recognises the importance, when armed conflicts end, of restoring the authority of the state, reinstating public administration in the entire territory of a given country and reorganising the national army and police forces, according to democratic principles and the model of plural and free societies; points out that, in some situations, with international specialised assistance, where needed and asked for, the incorporation of former combatants from different sides in a common new national army or police force has proven to be a good and helpful solution;
75. Recalls that transitional multiparty governments, serving as governments of national unity, are an adequate means of guaranteeing stabilisation, peace and shared responsibility from the moment peace agreements are concluded and prior to any elections; also draws attention to the fact that experience has shown that often such power-sharing schemes have proven to be wise even after elections have taken place, as a long-term stability platform until a full democratic culture is firmly rooted and alternation of power is possible without major risks;
76. Welcomes the fact that the EU and the international community often play a substantial role in convincing conflicting parties to reach a peace agreement and hold democratic elections; regrets, however, that more than once they have failed to offer the necessary assistance to the post-conflict parties to fully implement the peace agreements; urges them to step up their financial, administrative and logistical support to post-conflict countries to ensure a proper implementation of peace accords;
77. Recommends that, following the definitive cease-fire or the existence of a minimum safety situation, democratic elections should be prepared and conducted in accordance with a realistic timetable that takes account of, inter alia, local capabilities and external inputs of human, material and financial resources; recommends that, unless exceptional circumstances prevail, those first elections following the end of armed

conflict should, in principle, take place within two to three years at most; draws attention to the need not only for general presidential and parliamentary elections, but also to regional and local elections; stresses that elections are by no means the end point of a democratisation process, which should be an ongoing effort;

78. Calls on the persons responsible for the preparation of the elections, to name an ad hoc, independent electoral committee which should have as its tasks, in particular, to draw up the electoral roll, fix the number and the location of constituencies and of other necessary infrastructures, engage and train staff, check the transparency of candidates' expenditure, lay down regulations governing the vote and duly inform the population;
79. Encourages the participation of women during the electoral process and in government, in which connection the Platform for Action of the 1995 World Conference on Women in Beijing stated that a minimum participation of 30% represented a 'critical mass' on the road to the attainment of completely equal rights;
80. Considers that important, relevant and independent non-state actors could play an important role in the electoral process by encouraging an open and general debate and making sure that candidates assume their responsibilities;
81. Calls on the United Nations and other relevant international bodies to convene as observers and to assist the setting up of an independent electoral commission; the European Union, the European Parliament, the United Nations and other international organisations have to play an essential role as regards assistance and monitoring of the electoral processes, with a view to contributing to the democratisation of ACP countries; encourages long-term observers to come to the country a long time before election day in order to follow the electoral process from the beginning; expects, however, that short-term election observers, such as those from the European Parliament, should come to the country a few days before the election and should stay at least until the first count of votes has ended;
82. Calls for the deployment, if necessary and at the request of the host country, of an international multilateral force, possibly with the support of local troops, in order to guarantee safety; a high number of polling stations would also make it possible to increase the sense of security;
83. Requests that close attention be paid to freedom of expression and assembly, in order to allow political parties involved to express their opinions freely, respecting opponents and the common democratic rules, and to allow the presence of independent media; requests that journalists be guaranteed the freedom of movement they need for their work and that the plurality of information be respected; calls for clear and effective rules that guarantee the freedom of establishment of private media and equal access of all parties to media, in particular the state controlled media; underlines the special importance of these aspects for radio broadcasting stations in ACP countries;

84. Calls on the European Commission, the various donors and appropriate non-governmental organisations to carry out programmes to train media workers, with the aim of facilitating independent, high-quality reporting, and to guarantee the provision of adequate technical and material resources, for example cassettes, film material and paper;
85. Calls on the elected members of the national assembly to adopt a democratic constitution or to revise it as soon as possible, before or immediately after the first post-conflict general elections and possibly subject to a referendum, unless such urgent need is not felt by former conflicting parties and society at large; the same applies to the most significant political, organic and structural laws, which govern essential areas of a democratic state;
86. Underlines the importance of conducting permanent political dialogue with beneficiary countries on the political situation, as anticipated in Article 8 of the Cotonou Agreement, in particular on fields such as arms trade, excessive military expenditure, drugs and organised crime, or ethnic, religious or racial discrimination; this dialogue should also include a regular evaluation of the developments relating to respect for human rights, democratic principles, and the rule of law and to good governance;
87. Considers that sharing experience on an equal footing, between the representatives of the donor countries and those of the beneficiary countries is one way of enhancing this capacity for dialogue;
88. Instructs its Co-Presidents to forward this resolution to the ACP-EC Council of Ministers, the European Commission and ACP regional integration organisations, and to any parties in conflict in the ACP and EU countries.