

ACP-EEC JOINT ASSEMBLY

Doc. ACP-EEC 165/90/fin.

RESOLUTION

on the situation in South and southern Africa

The ACP-EEC Joint Assembly,

meeting in Port Moresby (Papua New Guinea) from 19 to 23 March 1990,

- A. recalling and reaffirming its previous resolutions on South and Southern Africa, in particular those adopted in Bridgetown, Barbados, in January 1989 and in Versailles, France, in September 1989,
- B. regretting that the South African Government has still not abandoned its concepts and practices of racial domination and repression,
- C. concerned at the South African Government's continued commitment to the concept of 'group rights' as the foundation of any future political dispensation in South Africa,
- D. appreciating the work of the liberation movements within South Africa and anti-apartheid movements the world over in the overall struggle for the eradication of apartheid,
- E. welcoming the unbanning of the ANC, the PAC, the SACP and all restricted organizations and the release of some political prisoners,
- F. aware, however, of the fact that only an estimated 25% of the total of 2500 to 3500 political prisoners, amongst them hundreds of children under 18, will be affected by the announced amnesty,
- G. noting that the destabilization by South Africa of all the countries in Southern Africa through direct aggression, the sponsorship of such ~~terrorist~~ organizations as the MNR, economic subversion and assassinations, ~~has resulted~~ in untold destruction of human life and property and the ~~massive displacement~~ of innocent people,
- H. reaffirming that permanent peace and stability in Southern Africa can only be achieved when the system of apartheid has been totally eradicated,
- I. having regard to the military situation in Angola, which is being aggravated by the interference of outside forces,

¹ adopted by the ACP-EEC Joint Assembly in Port Moresby (Papua New Guinea) on 22 March 1990

1. Welcomes the long-awaited release of Nelson Mandela, Vice-President of the ANC, expresses its admiration for the noble manner in which he embarked upon his historic mission soon after his release, adding to the positive atmosphere, and invites him as a guest of honour to its next meeting;
2. Welcomes the statements by President De Klerk, which offer the first signs of hope that substantial changes may be about to take place in South Africa;
3. Welcomes the lifting of the ban on the ANC and the abolition of the restrictions imposed on the PAC, the South African Communist Party and other political organizations as an initial step towards the abolition of apartheid;
4. Calls, therefore, upon the South African Government to urgently implement the remainder of the steps aimed at dismantling the structures of apartheid and instruments of repression, inter alia:
 - (a) the cessation of detention without trial;
 - (b) to desist from its policy of forced removals;
 - (c) the unconditional release of all political prisoners and detainees;
 - (d) to lift the state of emergency in its entirety;
 - (e) to withdraw all troops from the townships;
 - (f) to agree to a mutual ceasefire with the military wing of the ANC;
 - (g) the cessation of all political trials and political executions;
 - (h) and to repeal the major apartheid laws, mainly the Group Areas Act, the Population Registration Act and the 'homeland' policy;
5. Calls upon the signatories to the Lomé Convention to adopt the Harare declaration already adopted by the OAU in August 1989, the UN General Assembly and the Conference for a Democratic Future in Johannesburg in December 1989, whose demands it considers a suitable basis for negotiations;
6. Calls for the withdrawal of any measures which affect South African political exiles, so that they may return to their country;
7. Welcomes the fact that the government has finally agreed to independent investigation of all the hit-squads' deeds and urges the government to make public any findings and punish all those responsible regardless of their rank;
8. Calls on the governments of the EEC Member States to maintain pressure on the South African Government through the existing political, economic, financial and cultural sanctions and ensure that they are strictly applied;

9. Points out with serious concern that some EEC Member States still allow imports of South African iron and steel which have been banned since October 1986;
10. Requests that the EEC Commission gives a detailed and full report to the Bureau of the ACP-EEC Joint Assembly not later than at the end of April 1990, especially as regards iron and steel;
11. Criticizes the United Kingdom for the unilateral lifting of sanctions on new investment in South Africa and some EEC Member States for contemplating similar actions;
12. Asks the South African Government to put a definite stop to all military and other support to Unita in Angola and Renamo in Mozambique, in order to give the two countries the chance to conclude peace agreements; also demands that the South African Government prosecutes any individuals or groups in its territory who give such support to these groups;
13. Voices its support for the measures taken by the government of the People's Republic of Angola for the restoration of peace and national reconstruction, including the integration of all Angolans in the life of the country and the continuance of negotiations with the parties concerned;
14. Calls on the governments of the Community Member States to play an active part in assisting the reconstruction of Mozambique, which has suffered considerable hardship as a result of the South African-backed war and welcomes the Commission's resolve in this regard;
15. Asks the Commission to set up a comprehensive special aid programme for the People's Republic of Angola because of the contribution it has made to the independence of Namibia by providing support and solidarity, at the expense of a worsening economic situation in the country, the destruction of infrastructure and considerable loss of life;
16. Welcomes the proposal made by the Commission to hold a special meeting with donor countries on the assistance of the economic and social reconstruction of Mozambique;
17. Stresses that Angola and Mozambique suffer from heavy debt burdens, which stem to a great extent from EC countries, and calls on these countries to agree to a comprehensive debt cancellation programme;
18. Salutes, in the person of the elected President Sam Nujoma, the accession of Namibia to independence and the exemplary democratic nature of the elections and the procedure for drawing up the constitution;
19. Calls on the South African Government to support the independent development of Namibia and to return Walvis Bay to Namibia;
20. Requests the Commission to ensure that Namibia receives full support from the resources of Lomé IV and the EC budget;

21. Calls on the EEC and its Member States to prepare for the day when a free and democratic South Africa will be welcomed into the community of nations;
22. Welcomes the 10th anniversary of the SADCC, considers its achievements to be a proud contribution to overcoming South Africa's destabilization policy, and calls on the EEC and its Member States to coordinate their efforts in order to further independent development of the region;
23. Instructs its Co-Presidents to forward this resolution to the ACP-EEC Council of Ministers, the Council and Commission of the European Communities and the signatory states of the Lomé Convention.

ACP-EEC JOINT ASSEMBLY

ANNEX 3

Doc. ACP-EEC 150/90/fin.

RESOLUTION¹ on the release of Nelson MANDELA

The ACP-EEC Joint Assembly,

- meeting in Port Moresby (Papua New Guinea) from 19 to 23 March 1990,

- A. congratulates Mr Nelson MANDELA upon his release and subsequent election to rejoin the leadership of the ANC as Vice-President,
- B. Reaffirms its support and solidarity with the ANC and the rest of the anti-apartheid movement in South Africa,
1. Instructs its Co-Presidents to communicate this congratulatory and solidarity message to Mr MANDELA together with an invitation to him to address the Joint Assembly at its sitting in Rome (24-29 September 1990, or during its sitting in January 1991 in Kampala).

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adopted by the ACP-EEC Joint Assembly in Port Moresby (Papua New Guinea)
on 22 March 1990

NOUVELLES DE L'O.U.A.



منظمة الوحدة الإفريقية

ORGANIZATION OF AFRICAN UNITY

ORGANISATION DE L'UNITÉ AFRICAINE

ORGANISATIE VAN AFRIKAANSE EENHEID

Tél. 734 96 03 / 734 98 30

Bureau Permanent de l'O.U.A. à Bruxelles
Avenue de Cortenberg 66 (5ème étage)
1040 Bruxelles, Belgique (Belgium)

Telex : 64464 OAUBRU B

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APARTHEID



CHRONOLOGY OF

CRIME AGAINST HUMANITY

1948 - 1988

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BUREAU PERMANENT DE L'O.U.A.
A BRUXELLES

66, Avenue de Cortenberg
1040 Bruxelles, Belgique

Tél: 734.96.03/734.98.30

Télex 64464 OAUBRU B

What an unfortunate coincidence it was that in 1948, the year in which the Universal Declaration of Human Rights was adopted, the National Party came to power in South Africa. A coincidence all the more regrettable that the former, pride in humanity, was unable to discourage the latter, "crime" against humanity.

Sadly to say, as we take stock of the situation today, an air of bitterness pervades the international community to which Peter Botha and his cohorts have endeavoured to sell a "humane" apartheid system. This bold and cynical "gesture" is nothing more than a further diversion, intended to induce this international community into relaxing or even lifting the economic sanctions and diplomatic isolation which apparently are dealing a severe blow to the apartheid regime.

Therein lies the aim of this chronology which recounts legal acts and salient events that throughout the years have enabled the Whites in power in South Africa to tighten the noose round non-white South Africans and in particular Blacks, suppressing any attempt to resist that regime of terror and horror, apartheid, while drawing blood and tears.

A P A R T H E I D
CHRONOLOGY OF "CRIME AGAINST HUMANITY"

1948 - 1988

Apartheid in fact began in 1909 when the English and Afrikaners came together at a constitutional meeting, from which Blacks were excluded, to set up a dominion. One of the first legislative acts of the Union of South Africa (proclaimed in 1910) was to vote the Native Land Act in 1913 which set aside 7.3 % of the land to the Black population which at that time accounted for 67 % of the total population. This was followed by a whole series of laws that were to form the basis of the national party :

- 1923 : Urban Areas Act which established segregated urban areas ;
- 1926 : Mines and works colour bar Act which laid down that the salary of a black miner was to be a 1/4 of that of a white miner ;
- 1927 : Immorality Act which banned any sexual relations between the Blacks and Whites. This law was strengthened by that of 1949 on mixed marriages which proclaimed marriages between Whites and non-Whites illegal.

1950 = POPULATION (REGISTRATION ACT/GROUP AREAS ACT)

The Afrikaners Parliament passed a law on population registration which, backed by the 1949 law on mixed marriages built an even higher wall around each race in virtually all walks of economic, social and cultural life. In the words of the erstwhile Minister for Internal Affairs, this law was to have the "happy effect of dispelling the uneasiness of those who harboured doubts as to the racial group they belonged to" (alluding to "coloureds"). According to the law every inhabitant of the Union of South Africa was to carry an identity card specifying his or her race. Furthermore each racial group was to reside in the area allocated to it and its members were to look for employment in this area.

This was also the year when laws were passed suppressing any political opposition, e.g. the suppression of communism act whose aim was not only to ban the South African communist party but also to prove to international opinion that only a handful of ringleaders in the pay of international communism were opposed to apartheid.

1953 = BANTU EDUCATION ACT

Accusing missions of "forming black English-men" within a single-programme for-all-races system, the Prime Minister introduced the "Bantu education system". As he explained it, "what is the point of teaching a Black child mathematics if he will never use it in real life? It's absurd. There's no place for the native in the White community beyond the level of certain manual chores. They must be taught that equality is not for them". The outcome was a Bantu education by far inferior to that the white minority and over-filled classes (more than 50 pupils in Black schools as against 20 to 30 in white schools). In spite of a timid attempt to rebalance the situation, the government was still spending in 1984, 234 rands on the education of a black child and 1 654 rands on that of a white child, i.e., seven times more. The extension of University Act passed in 1959 extended this measure to universities.

1955 = Coloureds could no longer stand for elections in the Cape Province.

1959 = PROMOTION OF BANTU SELF GOVERNMENT

After having had the Bantu Authorities Act passed in 1951 in his capacity as minister for native affairs, Mr Verwoerd became Prime Minister and endeavoured to complete his work with the law on the accession of Bantus to internal self-government. This was the institutionalization of the labour-supplying "reserves" which the white government was to later attempt to transform into independent States.

1960 = Demonstration in Sharpeville in March against the Pass Law which required that every non-white should carry a pass in the areas reserved for Whites. The police fired indiscriminately into the crowd : 69 dead. This repression culminated in the banning of the African National Congress (ANC) and the Pan-African Congress (PAC). A state of emergency was declared.

Since international pressure on the regime was being intensified (notably through the Commonwealth of which the Union of South Africa was a member), the government decided to strengthen the apartheid system. Therefore in 1961, South Africa withdrew from the Commonwealth and became a Republic.

1962 = ARREST AND SENTENCING OF NELSON MANDELA

When his organization the ANC was banned in 1960, the black leader Nelson Mandela was forced to continue the fight against the apartheid regime underground. He was arrested in 1962 and sentenced with seven of his comrades to five years in prison and then to life imprisonment after a second trial in 1963.

1968 = PROHIBITION OF POLITICAL INTERFERENCE ACT

The government passed a ban on all "racially mixed" political parties. Worse still the law proclaimed unlawful activities by anyone belonging to any such political party, assisting a political party whose ranks included members of an ethnic group other than its own, taking the floor at a propaganda meeting for a political party where the majority of the participants belonged

to a population group other than its own. This move was designed to prevent White liberals favourable to a multiracial society from cooperating with Blacks and Coloureds.

1971 = BANTU HOMELANDS CONSTITUTIONS ACT

The law on citizenship in the Bantu Homelands was the outcome of the "great vision" of which Prime Minister Verwoerd spoke in Parliament in 1959 when the promotion of Bantu self government was put to the vote. It was in fact reinforced by the Prevention of illegal squatting Act of 1974 directed against the Black squatters of the Cape.

In pursuance of the Bantu Homelands constitutions Act, all the Africans settled in a white area became citizens of a national homeland or of the sovereign state allocated to its ethnic group, and thus lost their South African citizenship. Today, there are ten (10) national homelands or Bantustans, four (4) of which have supposedly attained independence : Transkei in 1976, Bophuthaswana in 1977, Venda in 1979, Ciskei in 1981. Needless to say, South Africa is the only country that has "recognized" the "independence" of these "States".

1973 = Strike by Black workers in Durban and Witwatersland

It marked the reawakening of the African trade union movement which since the law of 1953 (Bantu Labour Act) banning strikes by Blacks had been somewhat dormant. Furthermore, a law in 1955 amending the Industrial Conciliation Act of 1924 banned multiracial trade unions while guaranteeing Whites the monopoly of certain categories of work (Job reservation).

1976 = Soweto massacres

In March the government decided to impose the teaching of certain subjects in Afrikaans in black schools. Soweto pupils quickly formed an action committee to oppose this measure. In anticipation of any uprising, the government reinforced the Internal Security Act by doing away with such measures as release on bail and extending up to twelve months preventive detention. All of which was in vain.

On 4 June, some 2 000 students went on strike and on the 16th marched in a procession as a sign of their disapproval of Afrikaans being adopted as a medium of instruction. Shots were fired by the police, and 700 children were killed with 1000 casualties. Several arrests were made in trade union and anti-Apartheid circles, including Winnie Mandela, wife of Nelson Mandela.

1977 = Steve Biko tortured to death

- Arrested after the Soweto uprising, the leader of the Black Consciousness anti-Apartheid movement died on 12 September 1977 following atrocious spells of torture he suffered at the hands of the security police in Port Elizabeth.
- The repressive arsenal of the Apartheid regime was strengthened : military service for young whites was increased to two years with the military budget shooting up by 21 % and subsequently 33 %. The African press had become muzzled.

1983 = Confirmation of the exclusion of Blacks from power

- The Apartheid regime organized a referendum requesting the all-white electorate to approve a new constitution whereby Indians and Coloureds would be represented in Parliament.
- 3 "ANC militants" executed.
- Army raid on Maputo (Mozambique) against ANC : 200 killed.

1984 = Revolt in the Townships

- Revolt and uprising in the townships (black suburbs) in protest against the coming into force of the new Constitution establishing a Parliament of segregated chambers for Indians and Coloureds, excluding Blacks.

Wave of arrests (some 38,000) mainly within the circles of the United Democratic Front (UDF), a multi-racial anti-apartheid movement created in 1983.

- Execution of 115 on death row including 88 Blacks, 24 Coloureds, 2 Whites and One Asian.

1985 = Killing in Langa

- March : The Police opened fire on a funeral procession at Langa, a black ghetto in Uitenhage near Port Elizabeth. Official toll : 19 killed, 36 casualties, 300 arrests including Priests.

- Bloody army raid on "ANC bases" in Gaberone (Botswana).

- June : State of emergency restored : Thousands arrested, including Winnie Mandela.

- Shaperville Six" condemned to death.

- 16,000 black miners sacked for "illegal strike."

- Black poet, Benjamin Moloise hanged.

1986 = Fresh state of emergency

- Commemoration of 10th anniversary of Soweto massacres (See 1976) : waves of strikes and demonstrations. The police fired indiscriminately. Toll since beginning of riots in 1984 : 1782 deaths. The Institute of Racial Relations, a private organization, estimated daily percentage of deaths through shooting at 5 %, hitherto 2.4 %.

- June = State of emergency restored indefinitely. Indiscriminate arrests within anti-apartheid, in particular UDF, circles.

1987 = Children sent to jail

Increasing arrests were made by police by virtue of the state of emergency. In April, the number of people arrested attained 20 244, including some 8 000 children aged between 12 and 18 and 519 girls. Parents organized themselves under the DPSC (Detainee Parents Support Council) and embarked on a "Free the children campaign". The government responded with a decree forbidding any campaign for the freedom of detainees.

- 167 on death row hanged.

1988 : Fit of rage against Blacks - "coup de grace" for UDF and anti-Apartheid movements

Strong in the powers conferred on it by the state of emergency which is still in force, the government of P. Botha deployed its repressive arsenal :

- February = 17 Anti-Apartheid organizations were forbidden to undertake any political activity (including United Democratic Front (UDF) which enfoldes 700 organizations and is considered by the White regime as a "legal cover" of the ANC), AZAPO (Azania People's Organization) and DPSC (Detainee Parents Support Council), etc...

- Wave of attempts on ANC representatives in Europe - In Brussels the ANC representative escaped an attempt in March. His colleague in Paris, Dulcie September, for her part, fell victim on 29 March when she was gunned down by South African Security forces.

- In the wake of the October Municipal polls which were boycotted by the Blacks, the government submitted to the Presidential Council a bill reinforcing racial segregation in the homelands. On the programme of this law to be = a tightening of the fines for violation of the Group Areas Act which allocates a specific zone of residence to each racial group.

- November = a) a former white policeman, member of the Afrikaner Resistance Movement (AWB) killed 6 (six) blacks in cold blood in the streets of Pretoria town centre ;

b) 4 UDF leaders found guilty of treason by the Pretoria Supreme Court at the end of proceedings begun in October 1985. Under the law on internal security, they are liable to the death penalty. Three general secretaries of UDF were among the four condemned : Mr Pop Molefe, Moses Chikane and Patric Terror le Koto. Peter Botha's government accused them of being behind the revolt of the Townships which started in 1984. No doubt this verdict which decapitated the UDF is a prelude to the legal prohibition of the most important multiracial anti-Apartheid Movement accused by the regime of being the "legal cover" of the ANC.

- Execution by hanging of the six on death row (2 Blacks, 2 Coloureds, 2 Whites). Provisional toll of the year : 110 executed including 74 Blacks, 33 Coloureds and 2 Whites. Some 300 on death row are awaiting for execution in Pretorial jails, including 227 Blacks.

COMPROMISE TEXT TO THE CAPUCHO REPORT
ON THE POLITICAL SITUATION IN SOUTHERN AFRICA

Prop. SOC, GUE, V

Para 17

Commends the initiative announced by the President De Klerk on February 1st 1991 insofar as it initiates legislation to repeal the Group Areas Act, the Land Acts and the Population Registration Act and provide for transition arrangements until a new Constitution is adopted. With regard to the declaration adopted by the EC on December 15, 1990, stresses the European Council not to soften the measures adopted in 1986, before those legislative initiatives have been enacted, the transition arrangements and modalities for a new democratic Constitution are agreed and all existing obstacles to negotiations have been removed;

ACP-EEC JOINT ASSEMBLY

ANNEX 1

ACP-EEC 1057/93/fin.

RESOLUTION¹

on South Africa

The ACP-EEC Joint Assembly,

- meeting in Brussels (Belgium) from 4 to 8 October 1993,
- A. having regard to its previous resolutions on the situation in South Africa,
- B. welcoming the decision of the Multiparty Negotiating Conference that a Constituent Assembly should be elected in a free general election based on universal suffrage on 27 April 1994, paving the way towards the establishment of a non-racial and democratic South Africa,
- C. welcoming the enactment by the South African Parliament of the necessary legislation relating to the constitution of the Transitional Executive Council and other related bodies,
- D. deploring the decision by the Inkatha Freedom Party (IFP), the Conservative Party and others to withdraw from the multiparty talks,
- E. condemning the numerous attacks by extremists of various factions which have led to the violent deaths of thousands of people in the last few months and risk forming an obstacle to the holding of elections,
- F. stressing that it is the duty of the security forces to do all in their power to prevent such crimes and bring those responsible to book,
- G. welcoming the presence of the international observers during the transition and the process leading to South Africa's first ever democratic and non-racial elections, as well as assisting in controlling the violence inside South Africa,
- H. whereas, in spite of these most promising developments, there remain the major challenges of restraining violence, raising the standard of living of large sections of the black population and supporting the first free elections in South Africa,
- I. recognising the important role, during and after the transitional period, to be played by the European Community's special programme for the victims of apartheid and the reconstruction of South Africa,
- J. noting the recommendations of the ACP-EEC Joint Assembly delegation to South Africa from 20 to 27 March 1993,

¹ Adopted by the ACP-EEC Joint Assembly on 7 October 1993 in Brussels (Belgium)

1. Reiterates its total commitment to a new democratic and non-racial order based on the principle of 'one person one vote' in South Africa;
2. Welcomes the decision made by the Multiparty Negotiating Conference to hold South Africa's first ever non-racial elections on 27 April 1994 for a Constituent Assembly;
3. Further welcomes the passing by the parliament of South Africa of the necessary legislation establishing a Transitional Executive Council (TEC), an Independent Electoral Commission and an Independent Media Commission and Independent Broadcasting Authority for the purpose of levelling the playing field and promoting conditions conducive to the holding of free and fair elections;
4. Urges the IFP, the Conservative Party and other groups to desist from engaging in activities that would jeopardise the progress towards a democratic South Africa by, inter alia, abiding by the democratic decisions reached in the Multiparty Negotiating Conference;
5. Calls on all parties and particularly the South African Government to mobilize all the resources at their disposal to ensure a peaceful transition towards the establishment of a democratically elected government;
6. Further calls on all political organizations and on the representatives of civil society to take an active part in the constitutional reforms and considers their participation is of vital importance;
7. Calls upon all groups in South Africa to devise a mechanism for dealing with past abuses of human rights which provides an ethical basis on which to build a new South Africa;
8. Deplores in the strongest terms the tragic assassination of Chris Hani, a prominent African National Congress member, and the daily massacres of innocent civilians and calls on the South African Government to bring to justice those responsible;
9. Supports the establishment of a National Peace Keeping Force as provided for under the mandate of the Sub-Council for Defence of the TEC;
10. Calls upon the international community, and in particular the European Community and its Member States, to commit financial, technical and economic assistance for a programme to ease the transition to democracy in South Africa, including preparations for elections, including, inter alia, support for media and voter education, training for law and order enforcement officers based on democratic principles, strengthening of the civil society and aid to renewed investment;
11. Calls on the European Community to continue its support for the special programme for the victims of apartheid and to explore ways and means of supporting the reconstruction efforts, as well as the establishment of a balanced development and sustainable democracy in South Africa;

12. Urges the international community to support the call for the lifting of all economic sanctions with the exception of those relating to the arms embargo and nuclear matters;
13. Affirms its intention to be included in the international observer missions which will monitor the elections and will send an official delegation to this end;
14. Instructs its Co-Presidents to forward this resolution to the ACP-EEC Council of Ministers, the European Community and its Member States, the Commission, the OAU and the United Nations Secretary-General.

27. 9. 78

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No 1. 266. 27

PROTOCOL 1

on technical and financial cooperation

Article 1

The Community shall participate, within the framework of financial and technical cooperation, in the financing of measures such as will contribute to Egypt's economic and social development.

Article 2

1. For the purposes specified in Article 1, and for a period expiring on 31 October 1981, a total amount of 170 million European units of account may be committed as follows:

- (a) 93 million European units of account in the form of loans from the European Investment Bank, hereinafter called 'the Bank', granted from its own resources on the terms set out in its Statute;
- (b) 14 million European units of account in the form of loans on special terms;
- (c) 63 million European units of account in the form of grants.

Provision may be made for contributions to risk capital formation, to be charged against the amounts shown in (b).

2. The loans referred to in paragraph 1 (a) shall generally be combined with interest rate subsidies of up to 2 % financed by means of the funds shown in paragraph 1 (c).

Article 3

1. The total amount fixed in Article 2 shall be used for the financing or part-financing of:

- capital projects in the fields of production and economic infrastructure, aimed in particular at diversifying Egypt's economic structure and, especially, at promoting its industrialization and modernizing its agriculture;
- technical cooperation as a preliminary or complement to capital projects drawn up by Egypt;
- technical cooperation in the field of training.

2. Community aids shall be used to cover costs necessarily incurred in carrying out approved projects or measures. They may not be used to cover current administrative, maintenance or operational expenditure.

Article 4

The conditions of financing or part-financing of the projects and schemes mentioned in Article 3 shall be determined, taking into account the provisions of Articles 2 and 6, according to the nature and particular characteristics of each project or scheme.

Article 5

1. The amounts to be committed each year for each of the various forms of aid shall be distributed as evenly as possible throughout the period of application of this Protocol. During the initial period of application, however, a proportionately higher amount may, within reasonable limits, be committed.

2. Any funds not committed by the end of the period referred to in Article 2 (1) shall be used, until exhausted, in accordance with the same arrangements as provided for in this Protocol.

Article 6

1. Loans granted by the Bank from its own resources shall be subject to terms as to duration established on the basis of the economic and financial characteristics of the projects for which such loans are intended. The interest rate shall be that applied by the Bank at the time of the signing of each loan contract, subject to the interest rate subsidy referred to in Article 2 (2).

2. Loans on special terms shall be granted for 40 years with an amortization period of 10 years. The interest rate shall be fixed at 1 %.

3. The loans may be granted through the intermediary of the State or appropriate Egyptian bodies, on condition that they onlend the amounts to the recipients on terms decided, by agreement with the Community, on the basis of the economic and financial characteristics of the projects.

Article 7

Aid contributed by the Community for the execution of certain projects may, with the agreement of Egypt, take the form of co-financing in which, in particular, credit and development bodies and institutions of Egypt, of Member States or of third States or international finance organizations would take part.

Article 8

The following shall be eligible for financial and technical cooperation:

(a) in general:

— the Egyptian State;

(b) with the agreement of the Egyptian State, for projects or measures approved by it:

— Egyptian official development agencies,

— private agencies working in Egypt for economic and social development,

— undertakings carrying on their activities in accordance with industrial and business management methods and set up as companies or firms under Egyptian law,

— groups of producers who are nationals of Egypt and exceptionally, where no such groups exist, the producers themselves,

— scholarship holders and trainees sent by Egypt under the training schemes referred to in Article 3.

Article 9

1. Upon the entry into force of the Agreement the Community and Egypt shall establish by mutual agreement the specific objectives of financial and technical cooperation, by reference to the priorities set by Egypt's development plan.

These objectives may be reviewed by mutual agreement to take account of changes in Egypt's economic situation or in the objectives and priorities set by its development plan.

2. Within the framework established pursuant to paragraph 1, financial and technical cooperation shall apply to projects and measures drawn up by Egypt or by other beneficiaries approved by that country.

Article 10

1. For each request for financial aid under this Protocol, a dossier shall be submitted to the Community by the beneficiary referred to in Article 8 (a) or, with Egypt's agreement, by those referred to in Article 8 (b).

2. The Community shall appraise the requests for financing in collaboration with the Egyptian State and the beneficiaries, in accordance with the objectives set out in Article 9 (1), and shall inform them of the decisions taken on such requests.

Article 11

The execution, management and maintenance of schemes that are the subject of financing under this Protocol shall be the responsibility of Egypt or the other beneficiaries referred to in Article 8 of this Protocol.

The Community shall make sure that this financial aid is expended in accordance with the agreed allocations and to the best economic advantage.

Article 12

1. As regards projects and measures financed by the Community, participation in tendering procedures and other procedures for the award of contracts shall be open, on equal terms, to all natural or legal persons of the Member States and of Egypt.

2. To promote participation by Egyptian undertakings in the performance of works contracts, an accelerated procedure for issuing invitations to tender involving shorter time limits for the submission of tenders may be used at the proposal of the relevant Community body where the works in question, because of their scale, are mainly of interest to Egyptian undertakings.

This accelerated procedure may be used for invitations to tender the value of which is estimated at less than one million European units of account.

3. Participation by other countries in contracts financed by the Community may be decided by mutual agreement in exceptional cases.

Participation by third countries may also be decided on, in the same circumstances, where the Community participates in the financing of schemes together with other sources of funds.

27.9.78

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No L 266/29

Article 13

Under its national law in force, Egypt shall apply to contracts awarded for the execution of projects or measures financed by the Community fiscal and customs arrangements as favourable as those applied in respect of other international organizations.

Article 15

Throughout the duration of the loans accorded pursuant to this Protocol, Egypt shall undertake to make available to debtors enjoying such loans the foreign currency necessary for the payment of interest and commission and the repayment of principal.

Article 14

Where a loan is accorded to a beneficiary other than the Egyptian State, the provision of a guarantee by the latter or of other adequate guarantees may be required by the Community as a condition of the grant of the loan.

Article 16

The results of financial and technical cooperation shall be examined annually by the Cooperation Council. The latter shall define, where appropriate, the general guidelines of such cooperation.