

Contents

Postal address

The ACP-EU Courier
European Commission (G12, 5/45)
B-1049 Brussels

Address for visitors

12 rue de Genève
1140 Brussels – Belgium
http://europa.eu.int/comm/development/body/publications/publications_courier_en.htm

ACP General Secretariat

451 avenue Georges Henri
1200 Brussels
info@acp.int
<http://www.acp.int>

Publisher

Koos Richelle

Director (Acting)

Georges Eliopoulos

Editor

Dorothy Morrissey
dorothy.morrissey@cec.eu.int
tel: +32.2.296.83.30

Contributors

François Lefebvre
françois.lefebvre@cec.eu.int
tel: +32.2.295.50.33

Maurizio Carbone
maurizio.carbone@cec.eu.int
tel: +32.2.298.54.11

Kenneth Karl
development@cec.eu.int
tel: +32.2.299.30.09

Production

Mounia Lakhdar-Hamina
mounia.lakhdar-hamina@cec.eu.int
tel: +32.2.299.48.58

Subscriptions

maurizia.belz@cec.eu.int
fax: +32.2.299.3002

Documentation

Marie Vardaki
marie.vardaki@cec.eu.int
fax: +32.2.299.2525

Cover: ©Jorgen Schytte/

Wildlife Pictures
Boys fishing in Malombe Lake,
Malawi

Published in English and French
every two months.

Signed articles represent the opinions of their authors and do not necessarily reflect the views of the EU or the ACP Group. The boundaries on maps used in the magazine do not imply official endorsement or acceptance by the EU or the ACP Group. Articles and non-copyrighted photographs may be reprinted, provided the following credit is used "Reprinted from the ACP-EU Courier".

Meeting point



- 2 Sasara Chasala George, Chair of the ACP Committee of Ambassadors

News

- 5 ACP-EU Joint Parliamentary Assembly: overcoming differences for a more effective cooperation
8 The Natali Prize 2003: another African triumphs
10 "Journalists are like unnoticed stones"

Focus



- 12 The European Development Fund: moving towards integration into the Community budget?
14 African governments commit to fighting illegal logging
16 Moot Court competition, Yaoundé
18 The Indian Ocean Commission: regional solidarity in the face of globalisation
21 Economic Partnership Agreement negotiations – state of play



22 Intellectual property _Dossier



- 24 The World Intellectual Property Organization (WIPO) and the developing world
26 Putting intellectual property at the service of development
28 Public health: will the WTO deal on compulsory licenses for medicines improve access to treatment for disease stricken populations?
30 The recent agreement on WTO patent rules and access to medicines: a flawed deal?
32 Information for all: access to knowledge as a basic right
34 Branding rights: trademarks in a branded world
36 Intellectual property and native communities
37 Traditional knowledge and patents relating to *Lepidium meyenii*: an example not to be followed
39 Intellectual property and agriculture

Culture

- 34 Beethova Obas: claws beneath the velvet



44 Malawi _Country report



- 45 From a multiparty system to full democracy: the real challenge for Malawi
47 "We are still a young democracy"
49 "We should subsidise production, not consumption"
51 "Green gold": tobacco as Malawi's lifeline
53 A strategy for economic growth: improved macro-economic conditions and private sector development
56 Food security and transport: the priorities of EU-Malawi cooperation
58 Taking part in public life: democracy and civic education
59 Civil society: balancing political and economic issues
60 Profile
61 Maps

Editorial

Good governance: a guiding principle in EU-ACP relations

The issue of governance has very much come to the forefront in thinking and practice in development assistance in the past decade. One of the major difficulties, however, has been finding a consensus on a definition of the concept. Does it apply just to sound administration and management, or does it also refer to the political domain and political leadership? Is it a universal principle or does it vary according to context? This vagueness raises also the risks associated with applying a concept which may not be rooted in the particular socio-cultural and political environment of the country concerned.

The Cotonou Agreement is a good illustration of this growing attention to governance. Article 9.3 clarifies the approach jointly agreed by the ACP signatory states and the EU: "In the context of a political and institutional environment that upholds human rights, democratic principles and the rule of law, good governance is the transparent and accountable management of human, natural, economic and financial resources for the purposes of equitable and sustainable development. It entails clear decision-making procedures at the level of public authorities, transparent and accountable institutions, the primacy of law in the management and distribution of resources and capacity building for elaborating and implementing measures aiming in particular at preventing and combating corruption".

Contrary to the "essential elements" of the Agreement, states experiencing governance problems will not face suspension of aid, with the notable exception of "serious cases of corruption".

Various measures have been taken to put into practice the approach foreseen in Cotonou. Governance and corruption issues have been addressed in country strategy papers by assessing the governance situation; support is foreseen for non-state actors and for capacity building, and indicators of progress have been identified.

In October, the European Commission adopted a communication on governance and development, with the aim of identifying ways to translate its policy approach into practice, on the basis of lessons learned from the EU and other donors' experiences. The document aims to identify practical ways to build capacity for governance, ensure coherence in EU policies and instruments, reinforce partnership on a country or regional basis in order to coordinate donors' and partner countries' agendas, and to contribute to the protection of human rights and the spread of democracy and the rule of law. The document stresses the importance of dialogue with the countries concerned, with parliament and institutions and also with other stakeholders.

Good governance is above all a domestic issue, and inadequate domestic policies in many countries, not just in developing countries, have played a role in widening the gap between rich and poor. Achieving good governance is a process which must come from within, and steps must be taken to support and recognise genuine initiatives to attain it.

The ACP-EU Courier is the voice of the ACP-EU partnership in political, economic and social cooperation. This relationship can be traced back 45 years to the Treaty of Rome. The two sides have set up joint institutions and are involved in an ongoing political dialogue. The partnership was last renewed on 23 June 2000 with the signing of the Cotonou Partnership Agreement, covering a 20-year period. As well as the political dimension, this agreement provides for intense cooperation in the trade area as the EU seeks to ensure that the ACP countries do not suffer marginalisation in the current multilateral trade negotiations (Doha Round). The partnership has always focused on development assistance which targets the twin objectives of poverty reduction and sustainable development. Giving voice to men and women from ninety-three EU and ACP countries across the globe facing the future in a spirit of partnership: that is our mission.