

URGENT: Serious Overlooked Problems with ACP-EU Agreement!

The pending ACP-EU Partnership Agreement is a binding 20-year treaty between the European Union (EU) and the Organization of African, Caribbean and Pacific States (OACPS) which intrudes into almost every area of public and private life.¹ From deceptively dictating abortion,² to comprehensive sexuality education (CSE),³ to parental discipline,⁴ and social, sexual, gender,⁵ and cultural norms, this treaty goes far beyond the economic and trade agreement it is meant to replace.⁶ Indeed, the ACP-EU Partnership Agreement arrogantly:

- **Breaks up the united bloc of the OACPS by separating the text of the Agreement into three separate protocols (African, Caribbean, Pacific)** and establishes the EU as a co-chair of each, weakening the collective bargaining power of the OACPS while strengthening the EU's.⁷
- **Bypasses national parliaments and cedes lawmaking powers to a Council of over 100 foreign government Ministers** with authority to make binding decisions on all parties.⁸
- **Violates cultural and religious values through mandating implementation of controversial “sexual and reproductive health and rights.”**⁹ It also deceptively mandates the legalization of abortion, prostitution, same-sex marriage, LGBT “rights,” and child sexualization by requiring implementation of the review “outcome documents” of ICPD and Beijing—past, present and future.¹⁰
- **Transforms multiple non-binding UN and regional agreements into legally binding treaties with the EU** (i.e., ICPD, Beijing and regional agreements such as the Maputo Plan of Action and the radical Montevideo Consensus adopted by the Organization of American States).¹¹
- **Requires parties to cooperate with UN human rights mechanisms including runaway UN treaty bodies and UN experts** (including the SOGI expert), which mandate abortion, CSE, LGBT “rights” and more.¹²
- **Establishes “human rights” (which conveniently are not defined) as one of only two “essential” treaty elements** of what is supposed to be an economic and trade treaty, making it impossible for countries to reserve on over 100 references to “human rights.”¹³
- **Supersedes all other treaties with its supremacy clause.**¹⁴

CALL TO ACTION

1. **Oppose the division of the OACPS countries into three separate protocols.**
2. **Propose updating and continuing under the Cotonou Agreement instead, thus keeping the OACPS united.** Amendments could be negotiated in consultation with national parliaments, the rightful lawmaking bodies on sensitive sexual, social, family, and domestic issues.
3. **Support Malawi’s motion calling to delay treaty signing until national parliaments have time to scrutinize the text** and address the areas in conflict with ACP values and national laws. (Malawi’s motion was denied a hearing at the recent ACP-EU Joint Parliamentary Assembly.

Don’t accept the argument “it is too late to make changes as the text was already agreed.”

It is NEVER too late to protect your nation’s children, parental rights, family and cultural values, and especially national sovereignty!

For more information and documentation go to EUTreaty.org

¹ ACP States – AFRICAN MEMBERS: Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo (Brazzaville), Congo (Kinshasa), Côte d’Ivoire, Djibouti, Eritrea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Equatorial Guinea, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mauritius, Micronesia, Mozambique, Namibia, Niger, Nigeria, Rwanda, São Tomé and Príncipe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Tanzania, Togo, Uganda, Zambia, Zimbabwe. CARIBBEAN MEMBERS: Antigua and Barbuda, Bahamas, Barbados, Belize, Cuba, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago. PACIFIC MEMBERS: Cook Islands, Fiji, Kiribati, Marshall Islands, Micronesia, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Timor Leste, Tonga, Tuvalu, Vanuatu

² Article 36.2 of the ACP-EU Agreement binds ACP countries to implement controversial “*sexual and reproductive health and rights*” (SRHR), a term the EU Parliament has defined to encompass rights to abortion in their resolution on the situation of sexual and reproductive health and rights in the EU, in the frame of women’s health. In fact, this EU resolution on SRHR references abortion 38 times, including, “*Whereas SRHR challenges and obstacles can include ... legal restrictions and practical barriers in accessing abortion services*” and “*the denial of abortion care.*” It also characterizes “*denial of abortion care*” as a “*form of gender-based violence,*” and defines SRH services as including “*safe and legal abortion care and services.*” See (2020/2215(INI)), https://www.europarl.europa.eu/doceo/document/TA-9-2021-0314_EN.html

³ Referring to the UN’s “International Technical Guidance on Sexuality Education” (ITGSE) as guidance, the ACP-EU Agreement mandates “*comprehensive sexual and reproductive health information and education*” to African children (Art. 40.6) and Caribbean children (Art. 48.7) and Pacific children (the Pacific protocol wording is slightly different (Art. 49.6)). Yet the highly controversial ITGSE, which is promoted as the “*international standards*” for sexuality education worldwide, alarmingly claims children have a right to sex and should be taught about “*sexual pleasure,*” “*respect for diverse practices related to sexuality,*” “*homophobia,*” “*transphobia,*” “*sexual orientation,*” “*gender identity,*” “*masturbation*” and more. It should be also noted that UN agencies have begun to rename “*comprehensive sexuality education*” programs as “*sexual and reproductive health*” education programs to make them sound less controversial without removing the controversial content.

⁴ The ACP-EU Agreement infringes on parental rights by mandating an end to corporal punishment for children in African countries (Art. 41.3) and Pacific countries (Art. 50.4). While harsh physical punishment of a child is never acceptable, it is not the purview of the EU to determine whether parents in African or Pacific countries spank their children. Further, it also glaringly omits any reference to parental consent while committing treaty parties to provide sexuality education and sexual and reproductive health services for children.

⁵ The ACP-EU Agreement calls for the promotion of “*a gender perspective*” and to “*ensure that gender equality is mainstreamed across all policies*” (Art. 2.5). This is of concern because the term “*gender*” is also increasingly being proposed by the EU and UN entities in UN documents not only to promote equality between men and women, but also is an attempt to mainstream LGBTI equality as a synonym of gender equality. For example, the United Nations Entity for Gender Equality and the Empowerment of Women (“UN Women”) claims: “*LGBTI people’s inclusion in economic and human development and the full realization of their human rights are strong imperatives for UN Women’s engagement within the context of its mandate on advancing gender equality and women’s empowerment. Therefore, UN Women ... has continued to expand its work on LGBTI issues.*” (See United Nations (June 2018). *The Role of the United Nations in Combatting Discrimination and Violence Against Lesbian, Gay, Bisexual, Transgender and Intersex People: A Programmatic Overview*. Available at www.ohchr.org/Documents/Issues/Discrimination/LGBT/UN_LGBTI_Summary.pdf.) Further, Article 10.4 calls for “*The Parties undertake to prevent, combat and prosecute all forms of sexual and gender-based violence and discrimination in the public and private spheres,*” yet the UN Human Rights OHCHR “*Information Series on Sexual and Reproductive*

Health and Rights” claims, “Denying access to health services that only women require, including abortion ... can constitute gender-based violence, torture and/or cruel, inhuman and degrading treatment” and the EU parliamentary resolution on SRHR also states that “a total ban on abortion care or denial of abortion care is a form of gender-based violence.” (See at <https://eur-lex.europa>).

⁶ Each OACPS country (except Cuba) is a signatory to the Cotonou Partnership Agreement which bound them legally and economically to the European Union through a 20-year economic trade and development treaty initiated in the year 2000. This Cotonou “Agreement” was supposed to expire in 2020. However, its replacement, the ACP-EU Partnership Agreement was not finalized in time so the parties agreed to extend Cotonou until June 2023. The text of the new ACP-EU Agreement was negotiated over two years and largely finalized and then initialized by the head of the OACPS and the head of the European Commission in April 2021. However, Hungary and Poland objected to certain elements and has stalled the EU’s ability to move forward. This new ACP-EU “Agreement” (which more accurately should be called a binding treaty), is expected to eventually be signed by the Heads of State of each party on the island of Samoa in May 2023, thus, it will ultimately be referred to as the Samoa Agreement. Moreover, since the EU has been the driver behind this treaty, funds its meetings and facilitation, and ultimately will fund its implementation in OACPS countries with billions of dollars, it has had undue influence over its development and wording.

⁷ Rather than keep the 79 OACP states together as a united body as was the case with the Cotonou Agreement, the EU in this new treaty insisted on separating *the OACPS into three distinct entities each with their own Agreement protocol*. The EU’s “divide and rule” strategy (a term coined by angry members of African parliaments who strongly opposed the division into protocols at an ACP-EU Joint Parliamentary Assembly in Maputo, Mozambique, Nov. 2023) makes it possible for the EU to more easily manipulate these ACP countries as each protocol is to also have its own separate Parliamentary Assembly and Council of Ministers which the EU will also co-chair. Of course this gives the EU a stronger numerical advantage as they negotiate at the protocol level with the Pacific, Caribbean, and African states separately rather than with the OACPS bloc of 79.

⁸ Article 86.1 establishes a governing body called the Council of Ministers, which oversees the entire treaty implementation, and is co-chaired by the EU with the power to make decisions that are binding on all ACP nations (Art. 86.5). The decisions of this global Council of Ministers can trump the decisions of the three other smaller regional Council of Ministers at the protocol levels if they come in conflict.

⁹ UN entities and donor countries have aggressively been pushing for UN Member States to adopt provisions obligating states to implement “sexual and reproductive health and rights (SRHR)” in UN negotiated documents for many years. Yet references to SRHR have always been strongly rejected at the UN as there is no consensus as to what SRHR encompasses, and SRHR is used as a Trojan horse term encompassing a myriad of highly contested sexual rights including abortion, LGBT and abortion rights. Nevertheless, the ACP-EU treaty commits ACP and EU governments to implement [“sexual and reproductive health and rights” \(SRHR\)](#).

Shortly after the ACP-EU Agreement text was finalized and initialized by the leaders of the ACP and European Commission on April 15, 2022 – just one month later in June – the European Parliament defined SRHR in a resolution [“On the Situation of Sexual and Reproductive Health and Rights in the EU](#) to encompass abortion, sexuality education, and respect for diverse sexual orientation gender identities (SOGI), and more. Moreover, a landmark Gutmacher-Lancet Commission report on SRHR endorsed by high-level UN officials and donor countries defines SRHR to include the same controversial issues as the EU report.

¹⁰ This seemingly simple provision may be the most deceptive and dangerous provision in the entire EU Treaty and the reason why is complicated. Originally the term “*outcomes of their review conferences*” (meaning the ICPD and Beijing conferences) referred to the traditional ICPD and Beijing +5, +10 review conferences negotiated by all UN

Member States. However, after the adoption of this seemingly innocuous language in a UN resolution shortly before the +20 ICPD reviews, UNFPA held multiple +20 thematic regional review conferences for ICPD that it could more easily manipulate than UN negotiations to advance the European Union's and UNFPA's LGBT and abortion rights agenda. For example, UNFPA conducted an operational +20 review titled "ICPD Beyond 2014" that contains more than 500 highly controversial references, including 391 references to "sexual," 25 references to "sexual orientation," six references to "prostitution," four references to "transgender," 18 references to "comprehensive sexuality education," 44 references to "sexual and reproductive rights," and 173 references to "abortion." UNFPA, jointly with International Planned Parenthood Federation, also conducted a radical +20 ICPD youth review in Indonesia called the Bali Global Youth Review that calls for abortion, CSE, and LGBT rights, supposedly on behalf of the world's youth. Further, multiple ICPD regional reviews call for the legalization of prostitution and abortion, comprehensive sexuality education, sexual rights as part of sexual and reproductive health rights, and much more. Similarly, the multiple, radical, Beijing +25 Generation Equality Forum review outcome documents are also considered to be outcome review documents for Beijing. For additional information see https://familywatch.org/wp-content/uploads/sites/5/2022/09/ICPD-REVIEW-OUTCOME-DOCUMENTS-AND-FOLLOW-UPS_9-20-22.pdf

¹¹ The Montevideo Consensus on Population and Development calls for "adolescents and young people" (beginning at age 10) to "exercise their sexual rights" including "the exercise of their sexual orientation," it urges States to amend laws on the "voluntary termination of pregnancy," it mandates CSE, contraceptives and sexual and reproductive health services for adolescents, and requires the eradication of "discrimination based on sexual orientation and gender identity in the exercise of sexual rights." The Maputo Plan of Action calls for, among other things, youth-friendly SRHR services and sexuality education for young people in and out of school.

¹² Article 80.3 of the Agreement calls for cooperation "with the UN's human rights bodies and mechanisms" and to "fully support the work of the UN Human Rights Council." UN agencies and treaty body monitoring committees have been taken over by developed countries with radical social, sexual and gender agendas. The Office of the UN High Commissioner for Human Rights (OHCHR) aggressively promotes a sexual rights agenda. A 2012 OHCHR report on the "human rights-based approach to preventing maternal mortality" calls for States to legalize "sexual and reproductive health services," including services "such as abortion" and also promotes comprehensive sexuality education. The OHCHR promotes LGBT rights with their "Free and Equal" campaign, and in 2016, the UN Human Rights Council appointed an independent expert on sexual orientation and gender identity, funded by the OHCHR, who is now traveling the world and pressuring nations to advance LGBT rights. The UN Deputy High Commissioner for Human Rights has claimed, "Sexual and reproductive health rights [SRHR] are human rights. They are not new rights, and they are not optional. They are intrinsic to a range of internationally binding treaties." Yet no binding treaty includes promiscuity as a sexual right. The Deputy goes on to say these rights encompass, "whether, when, how and with whom any individual [this would include children] chooses to have sex ... and how we choose to express gender and sexuality."

¹³ The ACP-EU Agreement references "human rights" over 100 times without defining them, stating that they "constitute an essential element" of the Agreement (Art. 9.7). This is especially alarming in light of a resolution adopted by the European Parliament on the "Work of the ACPEU Joint Parliamentary Assembly" that calls for "reinforcement of the principle of non-negotiable human rights clauses and sanctions for failure to respect such clauses, inter alia with regard to discrimination based on ... sexual orientation or gender identity..." Further, this resolution "reiterated concern over legislation ... criminalising homosexuality in some ACP countries" and "to place this on the agenda for its [ACP-EU Joint Parliamentary Assembly] debates."

¹⁴ Article 97 – "No treaty, convention, agreement or arrangement of any kind between one or more Member States of the European Union and one or more OACPS Members shall impede the implementation of this Agreement."