



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 9 March 2012

**14015/03
EXT 1**

**PESC 613
COAFR 120
ACP 126
DEVGEN 132**

PARTIAL DECLASSIFICATION

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Delegations will find attached the partially declassified version of the above-mentioned document.



ANNEX

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THE EUROPEAN UNION**

**Brussels, 27 October 2003 (27.10)
(OR. en)**

**14015/03
EXT 1 (09.03.2012)**

**PESC 613
COAFR 120
ACP 126
DEVGEN 132**

OUTCOME OF PROCEEDINGS

from: Africa Working Group
dated: 7-8 October 2003
in: Brussels

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Subject : Report

I. OPERATIONAL CONCLUSIONS

EU-ECOWAS

- On the SALW initiative the Group agreed that the issue should first be discussed during the Troika meeting of 15 October. While (for the moment) not circulating the Danish non-paper to the ECOWAS side, the EU should continue being in a listening mood. Once ECOWAS had communicated its reflections and intentions the Group will come back to consider what follow up the initiative could have.

Implementation of EU guidelines on torture

- The Group agreed to forward to COHOM the selection **NOT DECLASSIFIED** for possible future priority action (according to SEC/2026/03 point 11). **NOT DECLASSIFIED**

- At the same time it should be stressed that
 - = the issue has to be addressed in political dialogue meetings with any country concerned,
 - = programmes to combat torture are already under way in some countries.

International Criminal Court (ICC)

- The Presidency will convey the COAFR message to COJUR with the request to establish an inventory of African countries which signed already non-surrender agreements **NOT DECLASSIFIED**.
- The result of this COJUR inquiry will be circulated by Coreu in preparation for discussions at the next COAFR meetings.
- This issue will be put on the agenda of political dialogue meetings at country as well as at sub-regional level and will be taken into account at next year's review of the Cotonou Agreement.

Ivory Coast

- The EU Troika will travel to Abidjan on its way to Monrovia and will hold meetings with the government. ToR for the discussion will be the Declaration by the Presidency of 22 September 2003 (coreu SEC/2100/03).

Liberia

NOT DECLASSIFIED

Guinea Conakry

- The Presidency will send ToR to SR Dahlgren for a visit to Conakry.
- The Group will hold a fully-fledged discussion on the issue during its meeting of 4-5 November.

Guinea-Bissau

- The Group thanked France for its role in the preparation of the HoMs report and took note of the possibilities indicated by the Commission with regard to assistance, budgetary aid and electoral support, as well as of their limitations.

Angola

- The Group finalised Council conclusions for submission to PSC (doc. 13330/03).
- The Group noted with interest and approved the suggestions made by HoMs on the agenda for a structured dialogue under article 8 of the Cotonou agreement. It invited HoMs in Luanda to include in particular the following elements into the proposal for dialogue before presenting it to the Angolan authorities. HoMs were asked to report back on these contacts:

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- An overcrowded agenda should be avoided and focus should be kept on fewer important elements such as transparency, the use of the revenue from natural resources, human rights and the road to democracy (elections, resettlement of displaced people).
- In light of the important number of EU HoMs in Luanda a troika format for the dialogue could be considered.

Zimbabwe

- Concerning the freedom of the press, it was noted that the Daily News would appeal the decision on its closure in court on 16 October. If the appeal is postponed or is refused, Presidency will consult via coreu with partners on ways to follow.
- Concerning the food crisis, it was agreed that demarches will be carried out in the other SADC countries. Terms of reference for these demarches would be based on an updated and amended text of the draft declaration (ROM/0896/03) and the benchmarks (ATH/1241/03). Commission and Presidency will elaborate and circulate.
- Commission undertook to prepare a document setting out scenarios for the future situation in Zimbabwe, in line with a similar exercise undertaken by the IBRD.

Swaziland

- The Group invited the UK as local Presidency to instruct HoM to carry out a demarche with the government, **NOT DECLASSIFIED**

Ethiopia-Eritrea

- The Group agreed to appeal to the Algiers Witnesses and the Group of the Friends of UNMEE to further meetings in New York and to assure that the whole international community speaks with one voice vis-à-vis the two countries.
- As soon as the Boundary Commission (BC) will have communicated its position to the UNSG (to be expected in the coming days) further consideration of possible actions (an imaginative approach is necessary) might be necessary to convince both parties that implementation of the BC's decision is the only way to a peaceful solution of the border dispute.

Ethiopia

- HoMs will be instructed to proceed with the dialogue
= on all items of mutual interest and in a balanced way
= to be conducted as suggested by HoMs at different levels and in different formats.

Somalia

- The Presidency will examine the possibility of circulating ToRs in interested capitals if the circumstances require it. The content of these demarches does not need to be identical, however they should follow the same objective, i.e. encouragement by members of the Technical Committee to keep the peace process inclusive and to achieve a peace agreement as soon as possible.

Sudan

- On the issue of human rights
 - = HoMs in New York will be asked to inform AWG about discussions on the issue and on possible strategies to obtain Sudan's agreement to a consent resolution;
 - = on the basis of this report the possibility of a demarche in Khartoum would be considered (in the affirmative ToR will be circulated);
 - = the Group agreed that in this preparatory exercise HoMs in Geneva should also be included (in view of the next CHR);
 - = at the same time the issue of human rights will remain integral part of the ongoing political dialogue.

II. OTHER POINTS

HORIZONTAL QUESTIONS

1. EU-SADC dialogue

The Group continued the preparation of the EU-SADC Senior Officials meeting.

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Concerning themes for the agenda of the EU-SADC Ministerial meeting, **NOT DECLASSIFIED** suggested the political and economic aspects of regional integration and **NOT DECLASSIFIED** suggested relations between SADC and the AU, while pointing out that choosing themes already now could prevent the Ministerial meeting from discussing themes of a more topical nature.

2. EU-ECOWAS

The Group discussed several options on how to proceed with the **NOT DECLASSIFIED** SALW initiative. **NOT DECLASSIFIED** suggested that the Moratorium could become a legally binding instrument. **NOT DECLASSIFIED** stressed that there should not be any duplication of efforts and that ECOWAS should work in close coordination with UNDP. The Commission informed that the director of PCASED (based in Bamako) had contacted it to organise a round table on small arms.

The Group stressed the importance of getting known ECOWAS' reflections on the issue before taking any initiatives. The discussion will continue once ECOWAS had expressed its intentions during the Troika and stressed the importance of acting in close co-ordination with CODUN.

3. Implementation of EU guidelines on torture

The Group discussed the criteria provided by COHOM for selecting the countries for implementing the EU Guidelines (pattern of torture and willingness by the government to combat it (coreu ROM/1014/03)). Several partners stressed the problems derived from singling-out **NOT DECLASSIFIED** particular countries. It was requested to ask COHOM for more clarification about their plans of work concerning the countries on the list. A broad number of delegations stressed that the application of either one (serious pattern) or the other criteria (intention to cooperate) would substantially influence the country choice.

NOT DECLASSIFIED The Commission pointed out that EU's ability to influence would increase if the issue were inserted in political dialogue.

The Group agreed to pursue the issue on the basis of a positive interpretation of the COHOM mandate: the choice of countries would indicate an intention to cooperate and not a stigmatisation.

4. International Criminal Court (ICC)

The Group discussed the problems in particular for African countries in resisting US pressure to sign non-surrender agreements under Art. 98. Several demarches had been carried out in African countries to communicate the EU position on this issue. It was suggested that in addition to that additional arguments should be provided to African countries, in particular the legal obligations they have under the Cotonou Agreement and other international treaties. All of them are also bound by the signature of the Rome Statute. **NOT DECLASSIFIED**

Due to the fact that many countries already have signed such agreements focus for EU actions should be on those which have not signed yet or which have signed only for a limited period (one-year). The EU common position on the ICC and the two declarations adopted in 2002 and 2003 could provide further arguments for a persuasive EU lobbying in Africa. This issue should also be taken up in the political dialogue meetings at country as well as at sub-regional level. In the next year's review exercise of the Cotonou Agreement the problem should be taken into account.

WESTERN AFRICA

5. Ivory Coast

Ambassador Sannella (Italian Ambassador to Côte d'Ivoire and Presidency Representative at the Follow-Up Committee created by the Linas-Marcoussis Agreement) briefed the Group on the latest developments in the country. **NOT DECLASSIFIED**

NOT DECLASSIFIED

NOT DECLASSIFIED The Commission informed that it is preparing a donors' conference to be held probably on 1 December to ensure financing for the MICECI until the elections 2005. The Commission informed that Prodi would visit Senegal, Côte d'Ivoire and Burkina in November.

6. Liberia

The Commission informed that on 1 October, the UN assumed command of the peace-keeping force in Liberia. Several Member States explained that they were ready to make bilateral contributions **NOT DECLASSIFIED** The Commission informed that it would submit a 40-million proposal to the EDF Committee in October to support DDR activities, community development and institution building programmes. The Presidency stressed the importance of continuing consistent support to the peace process **NOT DECLASSIFIED**.

7. Guinea Conakry

Sweden informed that PSR Dahlgren would need ToR to be able to travel to Guinea in October. **NOT DECLASSIFIED** It further stressed that the EU had to take note of the Canadian initiative to promote civil society contacts between Guinea and neighbouring countries.

NOT DECLASSIFIED it was stressed that the EU should plan ahead and not only focus on the elections. Following Dahlgren's visit to the country (ToR to be circulated) and the examining of the HOMs report (ROM/1028/03), the Group will have a full discussion on Guinea during the 4-5 November meeting.

8. Guinea Bissau

The Group discussed the HoMs report on the situation in Guinea-Bissau (ROM/0978/03) and the Presidency stressed the positive character of ECOWAS to promote stability. After the coup, there seems to be a general consensus in support of transition. **NOT DECLASSIFIED** Legislative elections are scheduled to take place in 6 months and presidential elections within 1 year. Portugal informed of the visit by the Portuguese secretary of state and the humanitarian support provided to Guinea-Bissau and insisted on the urgency of supporting a successful transition through the involvement of all international donors before the elections.

The Commission informed about its aid programmes to Guinea-Bissau (a 62-million Euro programme from EDF funds). **NOT DECLASSIFIED**

SOUTHERN AFRICA

9. Zimbabwe

The Group agreed that the proposed declaration on the food crisis in Zimbabwe should be temporarily suspended, while waiting for the situation to be clarified concerning the implementation of the various signed memoranda of understanding. **NOT DECLASSIFIED**
Food distribution could also be discussed at the upcoming EU-SADC Senior Officials meeting.

10. Angola

NOT DECLASSIFIED

11. Botswana

NOT DECLASSIFIED

12. Swaziland

13. Great Lakes Region

The EUSR informed the Group about his recent missions to New York and Washington. Presently the Commission and the Council Secretariat had a mission in the DRC to evaluate the need for a police force in the country. **NOT DECLASSIFIED**

NOT DECLASSIFIED

The Group discussed the Round Table to be organised by Belgium in October to take stock of and follow-up upon previous pledges made in the Conferences in Paris and Geneva. South Africa is expected to organise a new pledging conference for the AMIB in South Africa on 2-3 December. The Commission was prepared to contribute to this exercise (around 20 million dollars), but it was important that the Member States matched the contribution. The EUSR stressed the importance of the conference not becoming a failure.

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14. Uganda

The Presidency briefed the Group of a bilateral high-level meeting with Ugandan FM in New York using as ToR points of the HoMs report (ROM/0764/03). **NOT DECLASSIFIED** In general terms, Uganda is satisfied with the Sudanese government's commitment to fight the LRA and the Ugandan Defence minister will visit Khartoum to further discuss these issues.

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EASTERN AFRICA

15. Kenya

The Group took note with satisfaction of the report from the Ministerial Troika mission to Kenya. It encouraged HoMs to continue the political dialogue, which they had already conducted in an exemplary manner. Attempts should be made to limit the agenda in the future and focus on specific issues to be developed during the dialogue. **NOT DECLASSIFIED** stated the importance of urgently establishing the consultative committee for the HIV/AIDS funding. **NOT DECLASSIFIED** raised the question of whether the Kenyan government was fighting corruption efficiently.

16. Ethiopia-Eritrea

UNSGSR Legwaila briefed the Group on the peace process and the work of UNMEE whose mandate is to help the implementation of the Algiers Agreements of 2000 (negotiated by Algiers, at the time Presidency of the OAU, with the support of EU, US and UN, referred to as the Algiers Witnesses) and the Boundary Commission's decision of April 2002.

The peace-keeping process is under the control of UNMEE whereas the border demarcation was the task of the independent and neutral Boundary Commission (BC) agreed upon by both parties in the second Algiers Agreement (12 December 2000 general peace agreement).

Art. 4.16 of the peace agreement was designed to take care of possible problem areas such as Badme (support to population which is negatively affected by the BC ruling). This article could now serve as a basis for the international community to provide support in the demarcation process.

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16.a. Ethiopia

The Group took note of the suggestions made by HoMs in their report (ROM/0988/03) and welcomed the additional subjects to be included in the dialogue.

17. Eritrea

The Group took note of the HoMs report (ROM/0922/03) and several partners informed the Group that the content of the demarche was also raised in New York in bilateral meetings with Eritrea. The draft conclusions would pass on to PSC to be adopted at the GAERC on 13 October and the future dialogue would be conducted along the lines expressed in these conclusions.

18. Somalia

The Presidency briefed the Group on the latest developments. After the adoption of the provisional Charter in September some parties left the Conference and also some of the Technical Committee (TC). Following these events Kenyan FM Musyoka suspended talks until the IGAD Summit and the resumption of the Conference with participation of all parties is expected after the Summit in Kampala. **NOT DECLASSIFIED**

The proposal to carry out demarches **NOT DECLASSIFIED** was accepted provided the messages are tailored to the role each of the country is playing in the negotiations. In the margins of the IGAD Summit the EU Troika would have talks with relevant countries of the region, in particular with Kenya. At present it is not known who will represent Somalia at the IGAD Summit in Kampala (the term of TNG had expired at the end of August but will continue to fulfil role of government).

The UNSC Committee on Somalia is sending a team to Mogadishu to monitor the implementation of the Resolution on the arms embargo. This team could possibly take into account elements of the peace process and send strong messages to those who left the Nairobi talks.

19. Sudan

On the question of human rights the Presidency recalled the facts following the failure at the CHR and the end of the mandate of the UN SR on human rights in Sudan. The Group agreed to advance the proposal of achieving a consensus resolution at the UNGA including measures for monitoring human rights in Sudan (mandate to the human rights office in Khartoum). To this end consultations would take place in New York to find out the Sudanese position. On the basis of these results ToR for a demarche in Khartoum might be circulated. With a view to the next CHR EU missions in Geneva should also be consulted.

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A.O.B.

- **Rwanda:** In reply to a question raised by **NOT DECLASSIFIED**, the Presidency stated that a declaration on the recent Parliamentary elections in Rwanda would be circulated if the Group so wished.
- **Sierra Leone:** **NOT DECLASSIFIED** informed that it would raise the issue of financing of the SCSL in the context of the PSC discussion end of October (West Africa).
