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NOTE

From: General Secretariat of the Council
To: Delegations
Subject: Memorandum of Understanding between the African Union and the European Union on Peace, Security and Governance

Delegations will find attached a final text of the above mentioned Memorandum of Understanding signed on 23 May 2018 by the Chairperson of the African Union Commission and the High Representative of the Union for Foreign Affairs and Security Policy.

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Memorandum of Understanding

Between

The African Union

And

The European Union

ON

Peace, Security and Governance

23 May 2018

The African Union (hereinafter referred to as “AU”)
and

the European Union (hereinafter referred to as “EU”)

jointly referred to as “Participants” to this Memorandum of Understanding (hereinafter referred to as the ‘MoU');

Share the following understanding:

1. PRINCIPLES

EU and AU security interests are closely intertwined and this calls for a strategic approach between the AU and the EU. Through the Joint Africa-EU Strategy (JAES), the Africa-EU Peace and Security Partnership was defined as one of its strategic priority areas. This was more recently reaffirmed during the AU-EU Summit in Abidjan in 2017, where the Participants recognised the need to strengthen the relationship and agreed to put their partnership on peace and security on a more solid and structured basis. The Participants intend to steadily expand their longstanding cooperation.

The attainment of peace and security through joint efforts to prevent, resolve and recover from conflicts, and to combat terrorism and prevent violent extremism, are recognised as crucial for the achievement of sustainable peace and development in both Unions. Participants envisage to promote an integrated approach to conflicts and crises through the better use of joint strategies and of early warning systems, focusing on fragility, human security, human rights and recognising the need for increased coherence and greater synergies between development, humanitarian, governance and peace-building activities.

This MoU and its implementation should be guided by the fundamental principles of the unity and integration of the AU and the EU, the interdependence between AU and EU, the establishment of a reciprocal relationship built on joint ownership and responsibility, and respect for universal human rights as provided for in relevant UN and regional instruments, democratic principles and the rule of law, also taking into account the right to development. Both Participants also intend to enhance the coherence and effectiveness of existing policies and instruments.

The Participants are committed to promote inclusive, participatory, accountable and transparent institutions at all levels as a foundation for good governance, respect for human rights, and the rule of law, in accordance with their respective instruments. This should take into account the key role of the youth and women as rights-holders, as well as decision-makers.

This MoU should furthermore be governed by a strengthened and strategic political dialogue, burden-sharing and mutual accountability, respect for international law, gender equality and non-discrimination and a long-term approach.

2. OBJECTIVES OF THE MoU

This MoU intends to further strengthen the cooperation between the Participants in the areas of Peace, Security and Governance, in line with their respective decision making processes, and has the following intended objectives:

- a. Ensure the regular exchange of information between the Participants pertaining to the promotion of good governance and the maintenance of peace and security in Africa and Europe;
- b. Foster closer cooperation between the Participants in the promotion and maintenance of peace and security in the AU and the EU, as well as to enhance coordination of activities;
- c. Promote the development and implementation of joint activities in the area of governance peace, security and stability;
- d. While doing so, facilitate coordination and enhance cooperation, as appropriate, between the Participants, on the one hand, and the United Nations (UN) and its agencies, as well as with other relevant international organizations, on the other hand.

3. AREAS OF COOPERATION

(i) In order to facilitate the attainment of the objectives listed under point 2 above, the Participants endeavour to cooperate in relevant areas for the promotion of good governance and maintenance of peace, security and stability in the AU and the EU, including by:

- a. Deepening their strategic coordination and enhancing joint action, where appropriate, during all phases of the conflict cycle: tackling root causes, prevention, early warning, early response, crisis management, conflict resolution, resilience, Security Sector Reform, stabilisation, mediation and fight against impunity;

- b. Supporting the efforts of the AU to enhance the capacity and effectiveness of the African Peace and Security Architecture (APSA), based on the principles set out in the AU Constitutive Act, the AU Peace and Security Council Protocol (AU PSC) and the 2008 MoU on Cooperation in the area of Peace and Security between the AU and its Regional Economic Communities/Regional Mechanisms (RECs/RMs) for Conflict Prevention, Management and Resolution, including support to RECs/RMs and other regional security cooperation arrangements, as endorsed by the AU PSC, within the limits of approved financial decisions;
- c. Supporting the efforts of the AU to continuously promote synergy between the APSA and the African Governance Architecture (AGA), within the limits of approved financial decisions;
- d. Intensifying cooperation in preventing and countering terrorism, violent extremism and radicalisation;
- e. Jointly identify opportunities to enhance criminal justice responses to terrorism and international organized crime, as well as to counter the financing of terrorism in line with the relevant UN resolutions;
- f. Strengthening border security and cross-border information sharing, to prevent the recruitment, radicalization and incitement to commit terrorist acts through the internet and to work with internet service providers to remove terrorist content from the internet and social media and to prevent/counter violent extremism, with a particular focus on youth and preventing radicalisation;
- g. Establishing a Counterterrorism Political Dialogue aimed at advancing actions consistent with this MoU, and making best use of existing platforms, including the Global Counterterrorism Forum and its various working groups on security cooperation. Also, taking into account relevant AU efforts including the Nouakchott and Djibouti Processes on the Enhancement of Security Cooperation and the Operationalisation of the APSA, to inform and advance its joint efforts;
- h. Promoting the fight against the illicit proliferation of Small Arms and Light Weapons (SALW), including through improving stockpile management, export and import controls and promoting the effective implementation of the Arms Trade Treaty and the Continental Plan of Action of SALW;
- i. Continuing to promote the implementation and the upholding of multilateral regimes relating to Weapons of Mass Destruction (WMD);
- j. Strengthening law Enforcement and the protection of civilians including women and children in conflict situations, in accordance with human rights and international humanitarian laws;

- k. Supporting national, regional and pan African initiatives contributing to the advancement of maritime security, good international ocean governance, maritime situational awareness, and maritime law enforcement capacities, including enhancing capacities to combat illegal fishing and the dumping of toxic waste, in line with continental and regional strategies, such as the African Integrated Maritime Strategy (AIMS 2050) and the Charter on Maritime Security, Safety and Development in Africa (the Lomé Charter);
- l. Strengthening cooperation on Human Rights and peacekeeping, including through the exchange of best practice on adoption, implementation and oversight of human rights conduct and discipline compliance frameworks for Peace Support Operations;
- m. Fostering gender equality, including by eliminating all forms of sexual and gender based violence, and strengthening the role of women in peace and security, from early warning, mediation, to resolution and peace building;
- n. Strengthening democratic institutions and promotion of good governance, including the fight against corruption, international organised crime and illicit financial flows through information sharing, cooperation on judicial and law enforcement capacity building and technical assistance;
- o. Strengthening cooperation and dialogue with regard to good governance, the promotion and protection of human rights, the rule of law and democracy, including support in electoral matters for inclusive, transparent and fair elections, in line with Participants' respective instruments and decision making organs, and the provision of technical assistance in election observation and monitoring processes.
- p. Jointly cooperate on climate-related security threats across peace and security policy areas, to strengthen the capacity to address the risks of instability, insecurity and conflict arising from the interaction of climate change and social, economic, demographic and political factors.

(ii) The Participants intend to closely collaborate on ensuring sustainable financing for peace and security activities in Africa, including via the African Peace Fund, as established by the enhanced Peace Fund governance and management arrangements, once it is fully operational. The Participants should endeavour to continue to work with the UN to fully implement the AU plan on financial sustainability for peace support operations.

(iii) In the context of transitioning from the African Peace Facility to a successor EU financial support facility as from January 2021, the EU will continue to apply the established cooperation principles with the African Union, including regarding consultation and political endorsement by the AU, as appropriate, when supporting operations under the APSA framework.

(iv) The Participants further intend to cooperate in any other areas of mutual concern, as may be necessary, to achieve the objectives of this MoU and to this end may enter into supplementary arrangements.

4. FORMS OF COOPERATION & IMPLEMENTATION

(i) In order to promote enhanced strategic, political and operational cooperation with regard to peace and security issues, the Participants intend to take the necessary steps, where possible, to:

- a. Reinvigorate the Ministerial Meetings as foreseen in the Joint Africa-EU Strategy;
- b. Invite each other to relevant meetings, in line with their respective procedures, bearing in mind in particular the need to involve the EU, as appropriate, in the case of meetings relevant to missions supported by EU contributions;
- c. Pursuant to the November 2017 Abidjan Declaration, take practical steps towards a more coordinated approach to ensure effective multilateralism, including through stronger and more effective EU-AU cooperation modalities at the UN and other international institutions, as well as build a stronger partnership with the UN to address peace and security and other related challenges;
- d. Encourage the use of expertise from their respective structures/organs, as well as desk to desk collaboration;
- e. Hold regular consultations and review meetings on all matters arising from this MoU that may be necessary for the smooth running of cooperation. Senior Officials from both organisations should meet twice a year to ensure progress and planning in the various areas, towards the implementation of this MoU;
- f. Encourage the exchange of information in order to enhance coordination and facilitate implementation of joint activities;
- g. Identify and design projects and programmes in accordance with Action plans and Strategies of cooperation adopted through the appropriate decision-making procedures of their respective organisations;
- h. Provide technical assistance in areas which may be identified and agreed upon, within the limits of approved financial decisions;
- i. Elaborate and promote programmes for capacity building, among others; seminars, workshops, and training courses for African and European experts in the fields of interest specified in this MoU, including, but not limited to Governance, Conflict Prevention and Mediation at national and regional levels, within the limits of approved financial decisions;

- j. Undertake jointly or separately, studies that might provide solutions for the revitalization of cooperation in thematic areas identified under this MoU;
- (ii) The cooperation between the Participants is established on the basis of a set of mutually agreed upon principles and guidelines consistent with the relevant rules and regulations of the AU and EU.

5. COST SHARING

Each Participant intends to bear the costs and expenses relating to, or arising from, its participation in activities undertaken pursuant to this MoU.

6. NON-BINDING CHARACTER

This MoU is not intended to create rights or impose any legal obligations under domestic or international law in respect of either Participant.

7. FINAL PROVISIONS

The collaboration based on this MoU is to start on the date of signature.

Either Participant may end the collaboration based on this MoU by giving three (3) months' advance notice to the other Participant.

Signed in Brussels on the 23rd of May 2018.

For the African Union Commission

For the European Union

Moussa Faki Mahamat

Federica Mogherini

Chairperson of the African Union
Commission

High Representative of the Union
for Foreign Affairs and Security
Policy / Vice-President of the
Commission