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NOTE

From: General Secretariat of the Council
On: 20 January 2014
To: Delegations

Subject: Council Conclusions on Afghanistan

At its meeting on 20 January 2014, the Council adopted the Council Conclusions set out in the annex to this note.

Draft Council Conclusions on Afghanistan

1. 2014 is a critical year for Afghanistan in which all Afghans should have the opportunity to participate in making the fundamental decisions that will determine the immediate future of the country.
2. The European Union remains firmly committed to long-term partnership with Afghanistan. The Council called on the Government of Afghanistan to reciprocate that commitment by finalising negotiations on the Cooperation Agreement on Partnership and Development (CAPD). The text should fully reflect Afghanistan's international obligations. Sustained development will require the maintenance of security. With that in mind, the finalisation of the Bilateral Security Agreement (BSA) with the United States of America is vital and will provide the basis for ongoing international support to increase the capability of the Afghan National Security Forces. The continued provision of significant international development assistance to the Afghan people across the country is dependent on a conducive security environment.
3. For Afghanistan to fully benefit from the funds committed by the international community at the Tokyo Conference in 2012, the Government of Afghanistan must meet its commitments under the Tokyo Mutual Accountability Framework (TMAF).

4. In this context, the EU appreciates the progress made in preparing for the presidential and provincial elections, including the important roles played by the Independent Election Commission and the Independent Electoral Complaints Commission. It will be vital that the Afghan-led and owned electoral process is inclusive, transparent and credible leading to a legitimate outcome. The Council welcomes the call from President Karzai to all government officials and security personnel not to interfere in the election. The Afghan authorities must ensure that a comprehensive security plan is in place to enable all Afghans to have the opportunity to exercise their democratic right. It will also be important that appropriate measures are in place to avoid multiple voting, in particular men voting on behalf of women, ensure the security of ballot boxes, and prevent electoral fraud. The EU is providing financial and technical assistance through the UN and other bodies to strengthen the electoral process and is considering further support, including observing the elections.
5. The EU is concerned by the decline in economic confidence and the projected slowdown in economic growth, in particular the impact on reduced employment opportunities, especially for Afghan youth. The Government of Afghanistan needs to urgently take steps to strengthen investors' confidence, increase revenue generation and combat corruption. Passing the Anti-Money Laundering Law, Counter-Terrorist Financing Law, Tax Administration Law, the Law introducing Value Added Tax and the Mining Law will send an important message of commitment to tackle these issues.
6. The EU will remain focused on sub-national governance and provincial budgeting in Afghanistan with an emphasis on strengthening capacity to ensure the timely and sufficient distribution of resources to the sub-national level and increasing provincial capacity to allocate resources.

7. The EU remains concerned about human rights in Afghanistan, in particular the situation of women and girls. Urgent action is required to improve the full implementation of the statutory measures relating to women's rights. The publication of the report on the implementation of the Law on the Elimination of Violence Against Women can be an important benchmark in assessing future progress. The EU emphasises the importance of ensuring the full independence of the Afghanistan Independent Human Rights Commission. Sustained improvement of human rights will require systemic judicial reform, including by addressing the position of the Chief Justice, and a legal and judicial system that fully complies with international human rights norms.

8. The EU will continue to support Afghan efforts to strengthen civilian policing and the justice sector beyond 2014. The EU assistance currently provided through development programmes and through the EU Police Mission to Afghanistan (EUPOL) should, by the end of 2016 and based on a proper transition of tasks to relevant actors, be consolidated in the context of a clearly defined comprehensive approach, taking into account the context post 2014. The Council notes that a strategic review of EUPOL Afghanistan is under discussion and looks forward to a decision on its new mandate beyond 2014. The EU's future engagement in the Rule of Law sector should be comprehensive and make full use of all available instruments. To ensure the complementarity of the various EU and Member State interventions beyond 2014, the Council emphasises the importance of continued sharing of analysis, establishing a clear division of labour and aligning and sequencing the various EU and Member States' instruments.

9. The announcement by the United Nations Office on Drugs and Crime (UNODC) of a sharp increase in opium poppy cultivation is alarming. The EU will take stock of how it can strengthen its engagement with Afghanistan, other countries in the region and international organisations on the transnational threats posed by drug trafficking and organized crime. The illicit drug industry constitutes a major threat to Afghanistan's stability and undermines efforts to improve economic and human development. The EU acknowledges the capacity improvement made in the Ministry of Counter-Narcotics, but more must be done to bring the seizure rate closer to the level of other producing countries. The Council underlines the need for the Government of Afghanistan to use the improvements in capacity to build an integrated approach for reducing production of opiates and other illicit drugs. This should include concrete measures to improve border management, interdiction, law enforcement, prevention campaigns, health provision and sustained investment in agriculture to provide rural jobs.
10. The EU calls on all political forces in the country to support a credible peace process, in which civil society is able to play a full part, that eschews violence and any link with terrorist groups and respects the Afghan Constitution, including the rights of women.
11. The countries in the region have an important role to play in contributing to peace and stability in Afghanistan. The EU calls on all countries in the region to support regional stability by using their good offices to advance an inclusive Afghan-led peace process and through non-proliferation and disarmament. It reiterates its support for the Heart of Asia process and will continue to support both bilateral and regionally-driven initiatives aimed at deepening political and economic cooperation between Afghanistan and its neighbours.
12. Conflict in Afghanistan continues to generate suffering to a large number of refugees and internally displaced persons. The Council commends the hospitality of Afghanistan's neighbours, especially Iran and Pakistan, who continue to host large numbers of refugees. The EU reiterates its commitment to the Regional Solution Strategy for the Reintegration of Afghan refugees and the principle of voluntary repatriation and investment in sustainable reintegration. The EU will continue its efforts to address both the refugee situation and the problems caused by uncontrolled and illegal immigration primarily to the neighbourhood, and also to Europe.

13. Regarding the role of the EU in Afghanistan in the coming years, the Council concluded that the overarching strategic goal should be the development of Afghanistan's institutions to provide the resilience needed to safeguard progress to date and provide a countrywide platform for the development of a more effective and ultimately sustainable Afghan state. The EU will focus its efforts in areas in which it adds most value. The key objectives should be to promote peace, stability and security in Afghanistan and the wider region; reinforce democracy; encourage economic and human development, including further improving access to health and education, and foster rule of law and respect for human rights, in particular the rights of women and girls. The strategy should take into account the regional dimension and maintain the flexibility to respond appropriately to potential changes in Afghanistan.
14. Based on this guidance, the Council invited the High Representative and the Commission, to present a proposal for a strategy to the end of 2016. The strategy should encompass a comprehensive approach and the mutual commitments identified in the TMAF and the draft CAPD. It should include an implementation plan that specifies deliverable outcomes, ensures the synergy between the various instruments, and establishes a clear, coordinated division of labour amongst the EU and Member States, working in close cooperation with Afghan partners, the UN, NATO and other stakeholders. In the longer term the EU and Member States will look to adopt a joint programming approach that will further strengthen coordination and results. The strategy should be ready for endorsement by the second quarter of 2014.
15. The Council expresses its deep sorrow for the victims of the heinous and senseless attack on civilians in a Kabul restaurant on Friday. The Council expresses its condolences to their family and friends. The Council pays tribute to the courage and dedication of the members of the EU police mission in Afghanistan, that work to improve security and justice for all Afghans. The Council restates its determination to support the people of Afghanistan both during the transition and beyond to achieve their aspirations of security, democracy, justice and respect for human rights.