

(Acts adopted pursuant to Title V of the Treaty on European Union)

COUNCIL COMMON POSITION
of 25 June 2002
on Angola and repealing Common Position 2000/391/CFSP
(2002/495/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) The Council adopted Common Position 2000/391/CFSP ⁽¹⁾, defining the objectives and priorities of the European Union vis-à-vis Angola.
- (2) In the light of the substantial political changes that have occurred in Angola since 2000, certain provisions of the said Common Position are obsolete and require updating.
- (3) The Council adopted Common Position 2001/374/CFSP of 14 May 2001 concerning conflict prevention, management and resolution in Africa ⁽²⁾ and Common Position 98/350/CFSP of 25 May 1998 concerning human rights, democratic principles, the rule of law and good governance in Africa ⁽³⁾.
- (4) The Council adopted Common Positions 97/759/CFSP ⁽⁴⁾, 98/425/CFSP ⁽⁵⁾ and 2000/391/CFSP with regard to Angola and aimed at inducing the 'União Nacional para a Independência Total de Angola' (UNITA) to fulfil its obligations in the peace process in view of the relevant decisions of the United Nations Security Council, in particular its Resolutions 864 (1993), 1127 (1997), 1130 (1997), 1173 (1998), and 1176 (1998).
- (5) As stated in the declarations by the Presidency on behalf of the European Union of 29 May and 28 August 2001 and in the conclusions of the General Affairs Council

held on 11 and 12 June 2001, the European Union reiterated its support to all efforts made to achieve a political solution on the basis of the Bicesse Peace Agreements, the Lusaka Protocol and the relevant UN Security Council Resolutions.

After the death of Jonas Savimbi, on 22 February 2002, the Union expressed, in the declarations of 28 February and 4 April 2002, as well as in the conclusions of the European Council of Barcelona of 15 to 16 March and those of the General Affairs Council held on 13 and 14 May, its satisfaction with the announcement of the ceasefire made by the Government on 13 March and with the formal signature by the Government of Angola and UNITA on 4 April of a Memorandum of Understanding in complement to the Lusaka Protocol for a ceasefire and other pending military issues. In these statements the Union also mentioned the need to address the serious humanitarian situation, expressing its willingness to support the efforts of the Angolan people to bring lasting peace, stability and sustainable development to the country.

- (6) The United Nations Security Council adopted Resolution 1268 (1999), on the establishment of the United Nations Office in Angola (UNOA), and extended its mandate three times by letter from the President of the Security Council to the UN Secretary General, on the last occasion to 15 July 2002.
- (7) The United Nations Security Council adopted Resolution 1404 (2002), extending the mandate of the monitoring mechanism on sanctions against UNITA for a further period of six months, ending on 19 October 2002, and Resolution 1412 (2002) of 16 May 2002 whereby, reaffirming its Resolutions 696 (1991), 864 (1993) and all subsequent resolutions, in particular Resolution 1127 (1997), and recalling the statement of its President of 28 March 2002 which, in particular, expressed its readiness to consider appropriate and specific exemptions from, and amendments to, the measures imposed by paragraph 4(a) of Resolution 1127 (1997), it decided that the measures imposed by paragraphs 4(a) and (b) of that Resolution were to be suspended for a period of 90 days.

⁽¹⁾ OJ L 146, 21.6.2000, p. 1.

⁽²⁾ OJ L 132, 15.5.2001, p. 1.

⁽³⁾ OJ L 158, 2.6.1998, p. 1.

⁽⁴⁾ OJ L 309, 12.11.1997, p. 8.

⁽⁵⁾ OJ L 190, 4.7.1998, p. 1.

- (8) On 22 November 1996 the Council adopted a Resolution on demining assistance, recommending that, except for humanitarian relief, funds for mine-clearance interventions should be allocated to beneficiary countries whose authorities cease further use of anti-personnel landmines; it also adopted, on 28 November 1997, Joint Action 97/817/CFSP on anti-personnel landmines ⁽¹⁾.
- (9) Action by the Community is needed in order to implement certain measures,

actions of demining, social reintegration and resettlement of all the internally displaced people and refugees, in the framework of the implementation of the objectives stated in the declaration by the Government on 13 March 2002 and to create the conditions to allow the international community to help in this regard;

- (h) to continue to urge the Government to implement transparent management of public resources and full accountability, with a special consideration of oil sector accounts, for the benefit of all Angolans. To support the pursuit of sound poverty-oriented macroeconomic policies so as to ensure better prospects for poverty reduction, economic growth and sustainable development for the country;

HAS ADOPTED THIS COMMON POSITION:

- (i) to encourage cooperation and understanding among the countries in the region with the aim of improving regional security and economic development.

Article 1

The European Union will pursue the following objectives with regard to Angola:

- (a) to support the process of peace, national reconciliation and democracy in Angola through the promotion of good governance and a culture of tolerance among all political parties and all sectors of civil society;
- (b) to support a sustainable political solution in Angola on the basis of the Lusaka Protocol and the relevant UN Security Council Resolutions, through a political dialogue with the participation of the United Nations;
- (c) to urge the Government and UNITA to continue the full implementation of all provisions of the Memorandum of Understanding signed on 4 April 2002 to conclude the Lusaka Protocol, stressing the importance of an immediate and effective quartering, disarmament, demobilisation and social reintegration of UNITA military forces through adequately financed social programmes;
- (d) to encourage efforts by UNITA to reorganise itself as a political party, to demonstrate its will to abide by the law and to encourage the Government to facilitate this process as undertaken in its declaration on 13 March 2002;
- (e) to support the United Nations Security Council's intention to keep under review the sanctions imposed on UNITA with regard to the implementation of the Memorandum of Understanding complement of the Lusaka Protocol;
- (f) to encourage the Government of Angola to hold free and fair general elections as soon as possible once conditions are met, fully to respect the rule of law and justice throughout the Angolan territory, to promote and protect human rights and to foster the role of civil society in contributing to national reconciliation and democracy-building in the country;
- (g) to urge the Government of Angola to intensify its efforts to relieve the very serious humanitarian situation and favour

Article 2

In order to further the abovementioned objectives, the European Union will:

- (a) conduct a regular political dialogue with the Angolan authorities as envisaged in the Cotonou Agreement;
- (b) support, in the framework of its Common Foreign and Security Policy, initiatives contributing to a sustainable political solution in Angola in accordance with the objective indicated in Article 1(a) and in consultation with the UN Secretary-General, the troika of Observer Countries, UN Member States and regional and subregional African Organisations;
- (c) act in accordance with the decision taken by the UNSC in Resolution 1412 (2002) to suspend the travel ban on UNITA Senior Officials for a period of 90 days;
- (d) fully implement without delay any lifting of sanctions in respect of UNITA by the UNSC following a positive implementation of the Memorandum of Understanding;
- (e) offer to assist efforts by the Government of Angola to strengthen democratic institutions and practices so as to allow the holding of free and fair legislative and presidential elections and to ensure respect for human rights, the rule of law and independent civil society;
- (f) offer to assist efforts by the Government to reform the Angolan economy through cooperation with the IMF in coordination with the international community, to help the Government in its fight against corruption and poverty; encourage the Government of Angola to create the conditions of proper management to sign in the near future a poverty reduction and growth facility agreement with the IMF;

⁽¹⁾ OJ L 338, 9.12.1997, p. 1.

- (g) reiterate its solidarity with, and commitment to, the Angolan people by continuing to contribute in the efforts to alleviate the humanitarian situation and the suffering of the Angolan population affected by the war, in particular refugees and internally displaced persons, *inter alia*, by welcoming the intention of the Commission of the European Communities to take all measures rapidly to implement all available funding in support of the peace process.

The Union will offer to assist the Government of Angola in addressing the humanitarian situation and the different phases of the peace process, including the quartering of UNITA Military Forces, expressing its support for demobilisation and reintegration programmes which are necessary for a full-scale reconstruction of the country, while urging the Government rapidly to make an accurate evaluation of its most pressing needs;

- (h) offer to assist the Government of Angola in the rebuilding and reconstruction of the country, encouraging its intention to convene an international donors' meeting and paying due regard to the rules of transparency and accountability within a democratic environment, while inviting it to allocate the resources necessary to implement economic and social policies that will improve the lives of the citizens of Angola;
- (i) be prepared to participate in mine-clearance operations, in accordance with the Council Resolution of 22 November 1996, while encouraging the Government of Angola to ratify the Ottawa Convention on demining;
- (j) offer to assist the United Nations Office in Angola in the discharge of the mandate entrusted to it by the UN Security Council.

Article 3

The Council notes that the Commission intends to direct its action towards achieving the objectives and the priorities of this Common Position, where appropriate, by pertinent Community measures.

Article 4

This Common Position shall be reviewed every 12 months after its adoption.

Article 5

Common Position 2000/391/CFSP is hereby repealed.

Article 6

This Common Position shall take effect on the day of its adoption.

Article 7

This Common Position shall be published in the Official Journal.

Done at Luxembourg, 25 June 2002.

For the Council

The President

J. MATAS I PALOU