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Delegations will find attached the declassified version of the above document.

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TRANSMISSION OF TEXT

from : Secretariat

Subject : Report of the Asia Oceania Working Group of 3 October 2002

Please find annexed the report of the Asia Oceania Working Group of 3 October 2002.

I. OPERATIONAL CONCLUSIONS

BURMA :

- PSC is invited to note the Group's agreement to recommend the prolongation of the Common Position on Burma for another six months without substantial changes, and to update the visa ban list;
- HoMs in Rangoon are invited to submit proposals for the necessary updating of the visa ban list in the annex of the Common Position;
- RELEX Counsellors are invited to finalise the text of the Common Position in time for its adoption before 29 October, preferably by the GAEX Council of 21/22 October ;
- The Presidency will circulate revised Council conclusions on Burma, which take delegations' proposed modifications and written drafting suggestions into account ;
- Depending on the further evolution in the case of the death penalty against members of Ne Win's family, HoMs are invited to either undertake a principled demarche on the death penalty based on the common EU guidelines, or – in case the sentences are appealed or if the executions are not imminent - to establish a short report on the issue including appropriate suggestions for the further handling of the issue.

KOREAN PENINSULA

The Presidency will prepare a discussion paper and draft council conclusions for an update of EU's policy towards the Korean Peninsula based on the COASI discussion on 3 October and on the coming report by HOMs.

INDIA/PAKISTAN

The Group agreed on the need to follow the general developments closely and in co-ordination with the international community, notably the US.

The Group will re-examine the election process in Jamnu and Kashmir at the next COASI meeting based on the expected report from the HOMs in New Delhi on the wider election process and prospects for future dialogue with Kashmiri parties.

The Group agreed that the Joint Press Statement of the EU-India Summit on 10 October should include appropriate language on the tensions in South Asia.

AFGHANISTAN

The Group agreed to seek an extension of the mandate of the EUSR and supported a continued presence in Kabul, subject to finding a solution to the administrative and financial issues. The Presidency will circulate a draft updated mandate which will include the tasks of preparing a semi-annual report on the human rights situation, close monitoring and stimulation of reforms in the security sector, and assistance in the preparations of the coming CG process.

At the IG meeting in Kabul on 12-13 October the Presidency will present the papers "Information by the EU on Reconstruction Assistance to Afghanistan" and "Statement by the European Union" that had already been presented at the ARSG meeting in Washington on 26 September. An EU co-

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ordination meeting will be held at the office of the Danish Representative in Kabul; details will be circulated by Coreu.

NEPAL

The Group agreed that preparations for the deployment of the EUEOM should continue along the lines suggested by the Commission in Coreu COM/0418/02.

The HOMs in Kathmandu will continue to follow the situation closely and report on the situation, including the security aspects.

If the elections are postponed and a government of national unity is established, the Presidency will draft a declaration that will include the following elements: an invitation to the Maoists to stop the violence, an appeal to the Government and the rebels to engage into a dialogue in order to preserve the democratic patrimony and put an end to the conflict, an invitation to the Government to pursue an enhanced development policy, respect human rights and democracy and fight corruption. The declaration would also urge the military to respect human rights. The assessment of the HOMs in Kathmandu will be taken into account when drafting the declaration.

II. REPORT

1. BURMA:

- *draft Common Position and Council conclusions*

1. The Group discussed the issues on the basis of the Presidency's Coreu (COP 0931/02). The UK delegation briefed the Group on the recent discussion with UNSG SR Razali and on Razali's rather pessimistic assessment of the political and socio-economic situation in Burma.

2. The Group agreed that :

- the existing Common Position should be prolonged without substantial changes for another six month ;
- the current visa list, established in May 2000, needed to be updated in order to reflect changes in the Burmese leadership that have occurred since then ;
- In the Council Conclusions, the EU should express its dissapointment with the lack of progress.

3. The Group agreed that specific drafting suggestions for the Council conclusions should be submitted by Coreu before 4 October. On the basis of the Group's discussion and delegations' written suggestions, the Presidency will circulate a revised draft by Coreu as soon as possible.

- *Possible demarche on death penalty*

4. On the issue of the pending death penalty for members of Ne Win's family, the Group agreed that for reasons of consistency the EU should undertake a demarche in Rangoon, which should stress the EU's principled opposition to capital punishment.

- *Draft EU resolution on Burma for the UNGA Third Committee*

5. The Group also noted the ongoing discussion on the draft EU resolution on Burma to be introduced in the UNGA Third Committee.

2. KOREAN PENINSULA

- *Exchange of views on recent developments on the Korean Peninsula with a view to the coming update of EUs policy towards North Korea. Based on the discussion and the coming HoMs report, the Presidency will prepare a discussion paper on EUs policy towards Korea to be discussed at the COASI meeting on 7 November*

The Presidency briefed on discussions on 2 October attended by some Member States with Ambassador Sang-Woo Kim (South Korean Ambassador for International and Strategic Affairs). The Presidency recalled that the situation in the Korean Peninsula has changed substantially since last July. The inter Korean discussions have resumed and some progress has been achieved (for example the start of the railway and road links, the opening up of a free market zone in the north west of the DPRK). Also important was the visit by Prime Minister Koizumi to Pyongyang, and the visit of US Assistant Secretary Kelly to Pyongyang. The Presidency therefore suggested that the EU should continue to be involved in Korean affairs and take advantage of recent momentum. It was an appropriate time to consider updating EU policy on North Korea, the Presidency would prepare a discussion paper and draft Council conclusions based on discussions in COASI and the coming report by HOMs.

A number of delegations supported this approach, considering also that the EU should obtain a role in an extended Group of 6 or 7 main countries having a significant role in the reconciliation process in Korea if set up. One delegation regretted the fact that neither Japan or Korea, in course of discussions on Korea in ASEM had recognized the important EU contribution in recent years to the Korean reconciliation process.

One delegation, while noting that there had been progress, advocated that the EU should wait a certain time in reviewing the Korea policy to see how events unfolded in particular whether the DPRK would actually respect the commitments it had entered into.

Some delegations briefed on bilateral discussions they have had with DPRK representatives who had spoken in more positive terms than in the past, for example regarding the setting up of special economic zones or on air links to Europe. One delegation indicated that it would convey its comments by Coreu.

The German delegation, also, raised the question of North Korean asylum seekers in China. It proposed that this issue, in particular the role of the UNHCR be discussed at the next COASI meeting. It indicated that some Parliamentarians in both Japan and Korea intended to hold a meeting in Seoul on this issue and had invited some European Parliamentarians to attend. The Presidency indicated that the refugees item would be on the agenda of COASI on 7 November. Furthermore, the Presidency noted, that the issue was included in the recent HoM's report from Beijing on Human Rights in China and will be taken up at the coming EU-China Human Rights Dialogue.

3. INDIA/PAKISTAN

- *Stocktaking of the general developments*

The Group exchanged views on the recent developments in the India/Pakistan conflict, including the factors that could re-escalate tensions. It seemed unclear how the relationship between India and Pakistan would evolve following the Kashmir and Pakistan elections. There were some worrying indications that the use of the military option was still a real and present threat. Several delegations felt that the EU should keep pressure on both sides. The Group stressed that the international

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community should react cautiously to events in the region in order not to give India any indirect support for military action.

- Stocktaking of the first three phases of the Jammu and Kashmir elections

The Group reviewed the ongoing election process in Jammnu and Kashmir. There were some positive signs, like a higher than expected voter turnout, but the elections could not be considered inclusive and the irregularities and the violence persisted.

- Preparation of election monitoring in Pakistan

The Presidency informed the group about the meeting of the HOMs in Islamabad with President Musharraf on 28 September. In relation to the upcoming elections in Pakistan, Musharraf's message was that they would be free, fair and transparent. There would be political party representatives at each polling station, and all other election observers were welcome. For the first time in Pakistan's history, the army would not be present at the polling stations, but would be on call in case of violent disturbances.

The Commission informed on the deployment of the EU observers.

- Information on the preparations of the EU-India Summit

The Presidency informed that an agreement had been reached on the agendas for the Summit and the EU-India Ministerial Troika, but negotiations continued with regards to the Summit Joint Press Statement. The Summit would discuss on WTO and on Kashmir, even if these issues were not explicitly mentioned in the agenda. The main outstanding issue was the formulation on the developments in South Asia (India/Pakistan).

5. NEPAL

- Preparations of election monitoring

The Presidency recalled that the HOMs report on the political and security situation had been distributed (Coreu COP/0917/02). The Group agreed that the political situation was very volatile. It was stressed that there was an agreement among the opposition that the security situation did not allow the election to be held as planned. It had been recommended to postpone the elections for six months and to establish a government of national unity. The most likely scenario was that the elections would be postponed. However, preparations continued, and the Election Commission had announced that elections would take place in six phases with 11 days intervals so that the last phase would take place on 10 January 2003.

The Commission informed about the preparations of the EU Election Observation Mission. It stressed that it would reassess the situation if the elections were postponed.
