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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Memorandum of Understanding between the Africa Union and the
European Union on Peace, Security and Governance

Delegations will find attached the draft Memorandum of Understanding between the African Union and the European Union on Peace, Security and Governance.

**DRAFT Memorandum of Understanding
between the African Union and the European Union
on Peace, Security and Governance**

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 conflict 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 and indivisible human rights, 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.

This MoU should furthermore be governed by strengthened and strategic political dialogue, burden-sharing and mutual accountability, respect for international law, gender equality and non-discrimination and, not least, a long-term approach.

The Participants share the intention to respect, protect and fulfil human rights, including gender issues, and to support democratic governance in order to sustain peace and prevent conflict. The Participants are committed to promote inclusive, participatory, accountable and transparent institutions at all levels as a foundation for good governance and the rule of law. This should take into account the key role of the youth and women as rights-holders, as well as decision-makers. The Participants intend to ensure an enabling environment for citizen participation and civil society participation, in the maintenance of peace and prevention of conflict.

2. OBJECTIVES OF THE MoU

This MoU intends to further strengthen the cooperation between the Participants in the areas of Peace, Security and Governance and has the following intended objectives:

- 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;
- Foster closer cooperation between the Participants in the promotion and maintenance of peace and security in AU and EU, as well as to enhance coordination of activities;
- Promote the development and implementation of joint activities in the area of governance peace, security and stability;
- While doing so, facilitate coordination and enhance cooperation between the Participants , on the one hand, as well as the United Nations (UN) and its agencies, 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 areas relevant 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 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. Enhancing the 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 (AUPSC) and the MoU signed in 2008, including better linkages with other sub regional organisations in Africa currently not part of the APSA;
- c. Developing ways to better link the operationalisation of the APSA to the African Governance Architecture (AGA), as well as potential EU dedicated support. The Participants intend to present recommendations on how to enhance complementarities between the two architectures;
- d. Intensifying cooperation in preventing and countering terrorism, violent extremism and radicalisation;
- e. Jointly identifying opportunities to enhance criminal justice responses to terrorism, to cross-border crime such as migrant smuggling and trafficking of human beings and to counter the finance of terrorism in line with relevant UN resolutions;
- f. Strengthening border security and cross-border information sharing, 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 framework, and will also make best use of existing platforms including the Global Counterterrorism Forum and its various working groups, 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);
- i. Strengthening law Enforcement and the protection of civilians in conflict situations, in accordance with universal human rights and international humanitarian law;
- j. Supporting national, regional and pan African initiatives contributing to the advancement of maritime security, good international ocean governance and 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);
- k. 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;
- l. 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, to resolution and peace building;
- m. Strengthening democratic institutions and promotion of good governance, including the fight against corruption, organised crime and illicit financial flows through information sharing, cooperation on judicial and law enforcement capacity building and technical assistance, as a contribution to crisis prevention and peacebuilding;
- n. Strengthening cooperation and dialogue with regard to good governance, the promotion and protection of human rights, the rule of law and democracy, including the organisation of inclusive, transparent and genuine elections.

- o. Jointly cooperate on climate-related security risks with the intention to integrate these risks 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 AU Peace Fund, once it is fully operational. The AU should guarantee EU participation in the adoption of strategic and operational decisions concerning the use of EU funds. The highest fiduciary standards are to be ensured in the financial management of the AU Peace Fund. The Participants should endeavour to continue to work with the UN to fully implement the AU plan on financial sustainability.

(iii) In the context of transitioning from the African Peace Facility to a potential 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, as appropriate, when supporting operations led by an African regional economic community or another African sub-regional organisation.

(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

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, including through Ministers of Defence formats;
- b. Invite each other to relevant meetings, in line with procedures, bearing in mind the need to involve the EU, in particular in the case of meetings relevant to missions supported by EU contributions, in order to increase transparency and effectiveness;
- c. Bring together the AU, EU and UN to strengthen political and strategic dialogue and build a stronger partnership to address peace and security threats in Africa.
Cooperation in a collaborative platform, at political, senior official and technical levels, should build on and extend, where relevant, already existing cooperation between the three organisations in order to maximise synergies. The Participants envisage working together in such a platform, both horizontally and also with a focus on country specific situations. The Participants intend to define the exact format of such a platform, with the UN's relevant bodies during the course of the twelve months, following the signing of the MoU;
- 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 on the objectives, programmes, development strategies and activities of the Participants in order to avoid duplication and facilitate coordination of 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 other African and European experts in the fields of interest specified in this MoU, including but not limited to 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;

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 at
