



**COUNCIL OF
THE EUROPEAN UNION**



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**12th AFRICA-EU Ministerial Troika meeting
Luxembourg, 28 April 2009**

Within the framework of the Africa-EU Dialogue, the 12th Ministerial Meeting of the African and EU Troikas took place in Luxembourg on 28 April 2009. The Meeting of Ministers was co-chaired by H.E. Jan Kohout, Deputy Minister for Foreign Affairs of the Czech Republic and current President of the Council of the European Union (EU), and H.E. Dr. Ali A. Treki ̄Secretary for African Union Affairs of the Great Socialist People's Libyan Arab Jamahiriya and current Chairperson of the African Union (AU) Executive Council.

The EU Troika was also composed of H.E. Javier Solana, the EU High Representative for Common Foreign and Security Policy, H.E. Mr. Louis Michel, EU Commissioner for Development and Humanitarian Aid and Relations with African, Caribbean and Pacific States and H.E. Frank Belfrage, State Secretary to the Minister for Foreign Affairs, Sweden.

The African Troika was also composed of H.E. Ambassador Ramtane Lamamra, AU Commissioner for Peace and Security and H.E. Ambassador Mohammed Omar Maundi, Ambassador of the United Republic of Tanzania to Ethiopia and the African Union.

P R E S S

I. GLOBAL CHALLENGES

I.a. Economic and Financial crisis

1. Ministers welcomed the outcome of the London G20 Summit and stressed the need for a global and concerted approach and for sustainable answers to the current global economic turmoil. They underlined that economic recovery was impossible to achieve without strong solidarity between developed and developing countries. In this respect, they recalled that the Africa-EU partnership had been instrumental to ensure the involvement of the AU, AUC and NEPAD Chairman in the London Summit.
2. The EU side reiterated its willingness to deliver upon its ODA commitments despite the crisis, and recalled the increase in EU Member States' total ODA to approximately 0.40% of their GNI in 2008, recalling the essential role of ODA as a complement to other sources of financing for development. Both sides looked forward to the discussions at the G8 Development Ministers' meeting on 21-22 May 2009, leading to the G8 Summit in Italy (8-10 July 2009).
3. Ministers noted with interest the European Commission's initiative of 8 April 2008 on "Supporting developing countries in coping with the crisis", putting forward timely, targeted and coordinated actions for the European Union as a whole. Ministers underlined that the initiative reflected the strong solidarity between EU and the developing world and the EU's determination to lead in helping developing countries to weather the current crisis. In their discussions, Ministers identified the following measures as being of primary importance to help developing countries facing the crisis:
 - respect the commitments to reach their ODA targets by 2010 and 2015;
 - develop new ways of delivering aid so as to stimulate private sector activity, social development and provide greater leverage of other sources to official assistance; in this context innovative sources of financing should be further developed and mobilized;
 - protect the most vulnerable developing countries with the help of all available instruments including via the possible setting up of a vulnerability FLEX and through budget support to ensure delivery of key social services;
 - stimulate growth and job creation through i) closing of infrastructure missing links, most recently discussed at the AU summit in Addis Ababa in February 2009, for which the EU aims to provide support via a reinforced and reshaped Infrastructure Trust Fund, ii) revitalising agriculture, including through the recently launched EU €1 billion Food Facility initiative, iii) supporting trade and investment including by continuing to provide €2 billion level Trade Related Assistance in 2009 and 2010, iv) exploiting the potential of the informal sector in job creation;

- support foreign direct investment as an important component of development financing and poverty alleviation in Africa, and
 - continue to address the debt issue through the various existing initiatives and international fora in order to reach an adequate and lasting solution to this problem which continues to be a serious obstacle to the development of many African countries.
4. Ministers recalled the importance of progressing towards full Economic Partnership Agreements (EPAs), in the spirit of the Cotonou Agreement and the provisions of the Joint Africa-EU Strategy.
 5. Ministers stressed the importance of 'better aid' and agreed to fully exploit possibilities for greater aid effectiveness, policy coherence and donor coordination. The efficient implementation of the Joint Africa-EU Strategy was a test case for this key issue.
 6. Ministers welcomed the decision made by Leaders at the London G20 Summit to meet again by the end of the year and called for appropriate African representation both at national and regional level at this meeting. They asked furthermore for the AU and its socio-economic program NEPAD to be continuously involved in this process. Ministers stressed the need for Africa and EU to make use of the Joint Strategy to further enhance the political dialogue on common interests and possible measures to overcome the financial and economic crisis.
 7. Ministers took note of the increase of IMF resources agreed at the recent G20 summit in London. They noted in this regard the views expressed by the African side who called for greater flexibility for accessing new resources including through a review of the macroeconomic debt sustainability framework and rating system.

I.b. Climate change agenda: preparing the Copenhagen conference

8. Ministers agreed that Africa's and the EU's common vision regarding the climate change agenda should be pursued in the framework of the Joint Strategy and the Joint Declaration on Climate Change adopted in Addis Ababa on 1 December 2008 prior to the conference in Poznan (Poland) as an early deliverable of the implementation of the Africa-EU Partnership on climate change. They also called for the implementation of the Joint Declaration as an appropriate framework for advancing the Africa-EU common effort regarding the Copenhagen UN Climate Change Conference in December 2009 and beyond.
9. Ministers agreed on the imperative of ensuring that the final rounds of United Nations negotiations scheduled for 2009 make tangible progress and pave the way for an ambitious new global agreement to combat climate change to be concluded at the Copenhagen UN climate conference in December.

10. Ministers noted that the Bonn meeting that ended on 8 April 2009 marked the first round of negotiations since last December's UN climate conference in Poznan, which agreed to move the process into 'full negotiation mode.'
11. Ministers considered that discussions in Bonn allowed to identify areas of convergence, explored options for addressing areas of divergence and highlighted gaps that need to be filled before agreement can be reached. The outcome of the March-April Bonn negotiations will inform a first draft of the chair's negotiating texts which is to be tabled in time for the next negotiating session in June. The EU recalled its comprehensive position on the Copenhagen agreement in a series of Council conclusions.
12. Ministers took note that the EU remains committed to playing a leading role in bringing about a global and comprehensive climate agreement in Copenhagen in December 2009 designed to limit global warming to below 2°C. To this end, the EU recalled its commitment to a 30% emission reduction as its contribution to such an agreement provided that other developed countries commit themselves to comparable emission reductions and that advanced developing countries contribute adequately according to their responsibilities and respective capabilities. Significant domestic and external sources of finance, both private and public, will be required for financing mitigation and adaptation actions, particularly in the most vulnerable developing countries. The EU will take on its fair share of financing such actions in developing countries. Future discussions on generating financial support should focus on, inter alia, different approaches, including a contributory approach based on an agreed scale, market-based approaches based on auctioning arrangements or a combination of these and other options. The EU expressed the view that climate change should be integrated into relevant national development plans and policies. The EU stressed the need to enhance women's participation in climate change related activities and decision making processes.
13. The African side stressed the need for increased public awareness of the social, economic and environmental implications that climate change posed and the urgency for action in terms of implementing adaptation and mitigation measures. The African side emphasised ongoing efforts at the level of the African continent to ensure that African countries and Regional Economic Communities (RECs) prepare timely and speak with one voice during the 2009 rounds of negotiations.
14. Ministers underlined that Africa's and EU's common interests regarding the climate change agenda should be pursued in the framework of the Joint Strategy, as recommended by the Joint Task Force.

II. Implementation of the Joint Strategy/First Action Plan:

15. Ministers welcomed the progress made since the last Ministerial Troika in the implementation of the Strategic Partnership between Africa and the EU. They underlined their continued strong commitment to this ambitious and far-reaching endeavour, and stressed the need for further tangible progress both at the political and the technical-operational level. In the current international context, it is imperative for Africa and the EU to join efforts and to address together the complex economic and financial crisis. More than ever, both sides must also seize new opportunities to work together on burning issues such as Peace and Security, Climate Change, Energy access and Energy security. Finally, Ministers reiterated their determination to develop the people-centred dimension of the Partnership. They encouraged Parliaments and non-State actors, and in particular the civil society and the private sector, to participate actively in the Lisbon agenda and invited the Joint Expert Groups (JEGs) to associate them in their respective work and facilitate their effective participation.

16. With regard to the Strategy's first Action Plan (2008-2010), Ministers:
 - (a) welcomed the results achieved by the 8 thematic partnerships agreed in Lisbon. They acknowledged the delivery of the 8 draft implementation roadmaps elaborated by the informal JEGs as living documents. Detailed documents will be posted on the joint website. Ministers looked forward to receiving regular updates on the progress made in all initiatives agreed in Lisbon. They agreed to use the updated roadmaps as a basis for the mid-term review of the Joint Strategy implementation. Ministers invited all informal JEGs to urgently
 - further refine the roadmaps so as to better identify their priorities, projects, actors, resources, timelines and results,
 - tackle shortfalls in terms of resources, implementation mechanisms or support arrangements,
 - proactively reach out to stakeholders and international partners who have not been sufficiently involved,
 - undertake a mid-term assessment in their respective partnerships;

- (b) welcomed the positive results of the informal meetings held between the EU and AU Presidencies and Commissions and the European and the Pan-African Parliaments (EP and PAP). Ahead of the Troika, Ministers held a fruitful meeting with representatives from the EP and PAP, and discussed in particular the Parliaments' latest joint proposals on their active involvement in the implementation and the monitoring of the Joint Strategy referring in particular to:
- the participation of representatives of the EP and the PAP in informal JEG meetings and meetings of the Africa-EU Joint Task Force (JTF);
 - both Parliaments being heard and having the opportunity to comment or issue recommendations and suggestions on the annual progress report or regarding specific subjects and actions pertaining to the partnerships for the consideration of the ministerial Troika;
 - the Presidents of the PAP and of the EP being invited to attend the solemn opening of these Summits and to present to the participants in the Summit their Parliaments' conclusions on the implementation of the Action Plan and their suggestions for the future orientations of the Strategy.

Ministers endorsed these proposals as a sound basis for further work (cf. Annex 1) and looked forward to further regular exchanges with the two Parliaments on this matter.

- (c) welcomed and endorsed the results of the JTF held in Brussels (17-18 March 2009) for the first time in the new format, bringing together the services of the two Commissions, African and European JEG co-Chairs, national coordinators/focal points, and representatives of the EU and AU Presidencies, the EP and PAP, and civil societies from both continents. Ministers underlined the importance of the JTF in addressing cross-cutting issues and enhancing cooperation, coordination and synergies amongst the key stakeholders of the Joint Strategy. They therefore endorsed the new format and invited the two Commissions to organize the next JTF meetings accordingly and ahead of the Ministerial Troikas in the future.

- (d) noted the Decision of the African Union Assembly on the Africa-EU Dialogue taken at the last AU Summit in Addis Ababa (1-3 February 2009). Ministers urged once again African States and EU Member States, African RECs and other stakeholders to become effectively involved in the implementation and monitoring of the Joint Strategy, and to ensure the allocation of the necessary resources to foster its effective implementation. The involvement of RECs and of other regional organisations is key for delivering results in all partnerships, notably those of Peace and Security and on Trade, Regional Integration and Infrastructure. Ministers endorsed in particular the holding of a workshop on the financing aspects of the Joint Strategy in Addis Ababa after 21 September 2009, back to back with the enlarged JTF, and asked the two Commissions to start the necessary preparations. Ministers invited all other relevant stakeholders to contribute to these preparations.
- (e) last, but not least, Ministers welcomed the substantial progress made on both sides to better involve representatives of the African and European Civil Societies in the Joint Strategy. They noted that the AU Civil Society Interim Steering Committee, established in Accra in March 2007 and reconstituted within the framework of ECOSOCC in Nairobi in March 2009, was following actively the implementation of the strategy and that a European counterpart has been constituted in spring 2008. They also noted that Civil Society representatives had started to participate in the first JEGs. Ministers therefore invited the Civil Society representatives and JEG co-Chairs to speedily set up effective dialogue and cooperation mechanisms between them, and to ensure that at least one representative from each side participates in each of the JEGs.
17. On the basis of the above, Ministers agreed to undertake a comprehensive mid-term review of the Joint Strategy and the Action Plan at their next meeting in Autumn 2009.

III. Recent developments since the last Troika Meeting

III.a. Peace and Security issues in Africa

Sudan

18. As regards Sudan, Ministers reaffirmed the strategic importance of the implementation of the Comprehensive Peace Agreement (CPA) which holds the perspective of a peaceful national, political and democratic transformation of Sudan. In this context, Ministers welcomed the announcement that nationwide elections will be held in February 2010.

19. Ministers welcomed recent efforts of the international community to re-launch the Darfur peace process. They in particular expressed their appreciation for the central role of the joint AU/UN mediator Djibrill Bassolé and the support of regional and international initiatives in this process. Ministers stressed the importance of reaching progress in the peace talks and called on all Sudanese actors to rapidly overcome the current deadlock and to live up to their responsibilities. The ministers stressed the need to ensure the continuity of the humanitarian assistance to the most vulnerable people of Sudan, especially women and children. In this context, the EU underlined its position calling upon the Sudanese government to reverse its decision to revoke licenses of the 3 local and 13 international NGOs. Ministers called on the Government of Sudan to promote an environment conducive to effective humanitarian operations and called on all stakeholders to respect the humanitarian rules, including the Joint Communiqué on the facilitation of humanitarian assistance in Darfur.

20. Ministers discussed the implications of the decision taken by the International Criminal Court (ICC) on Sudan. They reiterated the importance of fighting impunity in accordance with established principles and international law. Ministers recalled their respective positions with regard to decisions taken by the ICC. The EU recalled that the International Criminal Court (ICC) is an independent judicial institution and plays a fundamental role in the promotion of justice, and reiterated its call on the Sudanese government to cooperate with the ICC. The African side reiterated its position calling for the deferral of the ICC process in conformity with the Article 16 of the Rome Statute on the ICC and underlined that the search for justice should be pursued in a way that does not impede or jeopardize the promotion of lasting peace and security and the Peace Process in Darfur. Both sides welcomed the establishment of the AU High Level Panel on Darfur, led by former President Thabo Mbeki, with the mandate to examine the situation in Darfur.

Chad /Sudan

21. Ministers emphasised the importance of normalisation of relations between Sudan and Chad. The spill-over effects with ongoing rebel groups' activities on both sides of the border remain a serious concern. They called on all actors in the region to intensify their efforts, including within the Dakar Agreement, in finding a political solution to the tensions.

Chad

22. Ministers underlined that serious engagement from both the government and the opposition in Chad is required in the framework of the Political Agreement of 13 August 2007 in order to consolidate the democratic process. They welcomed the progress made with the adoption of crucial legislation and called on the parties to continue their effort with a view of holding free and fair elections within a reasonable timeframe. Ministers also welcomed the successful transfer of authority from EUFOR Tchad/RCA to MINURCAT on 15 March 2009. They acknowledged the deployment of EUFOR as a contribution to an improved overall security environment for international and humanitarian aid workers as well as the local population in its area of operations.

Somalia

23. Ministers agreed that the election of President Sheikh Sharif Sheikh Ahmed and the establishment of the new Transitional Government create a window of opportunity for achieving peace and stability in Somalia. They called on all parties still opposing the political process to refrain from violence and seize this opportunity to bring peace and development to Somalia. Both sides welcomed the positive results of the Somalia Conference held in Brussels on 22 and 23 April 2009 to assist the transitional government in creating the necessary security conditions, the building of state institutions and the promotion of national reconciliation. The EU contributed during the conference US \$ 123 million out of the total pledged amount of US \$ 215 million. They stated their continued commitment to supporting the new Government to, inter alia, rebuild infrastructure, provide humanitarian assistance, and to create new employment opportunities.
24. The EU commended the work of the AU in Somalia through AMISOM, highlighting the courage of the troops from Burundi and Uganda. The African side expressed its appreciation for the support given by the EU to AMISOM and called for a speedy implementation of UNSC Resolution 1863 (2008). In the interim the AU calls upon the UN to provide logistical support to the AU in conformity with UNSC 1863 (2008). Ministers emphasised the primary importance of developing the Somali security sector, while simultaneously strengthening good governance and the rule of law in the country. The Ministers called upon the countries that had made troop pledges to AMISOM to urgently deploy them to Somalia to help achieve AMISOM's originally mandated troop strength of 8000 troops in order to stabilize the security situation in the country.

25. Ministers noted that piracy off the Somali coast line and in the Gulf of Aden continues to be a major threat to regional security and international trade. In this regard, the African side commended the EU's contribution to international efforts to improve maritime security off the coast of Somalia through the deployment of the naval operation EU NAVFOR ATALANTA. This contribution which is part of the internationally coordinated action against piracy is essential to ensure the protection of the vessels of the World Food Programme delivering food to the displaced persons in Somalia as well as to curbing piracy off the Somali coast and in the Gulf of Aden in particular. Ministers agreed that there was a link between piracy, security and development and that regional cooperation as well as capacity building for the Somali Transitional Federal Government were necessary to address the root causes of piracy.

III.b. Scourge of Coups d'Etat

Madagascar

26. The two sides discussed the situation in the country following the unconstitutional deposition of President Ravalomanana. The African side informed about the mediation efforts it was undertaking together with the UN, SADC, IOC and Council of the Churches and the representative of the Francophonie. The meeting discussed the outcome of the SADC Summits on 19 and 30 March. Both sides informed about measures they had put in place concerning the country and discussed ways to contribute to a solution to the crisis. Ministers called for a rapid holding of national elections and the return to constitutional order. The EU expressed its support for the International Contact Group to be convened by the AU on 30 April 2009.

Mauritania

27. Ministers commended the recent efforts undertaken by the AU and noted the decision of the Peace and Security Council of the AU at its meeting on 24 March 2009 of imposing sanctions against all persons, both civilian and military, whose activities are designed to maintain the unconstitutional status quo in Mauritania. The Parties discussed further the decision of the EU to close Cotonou article 96 consultations and adopt appropriate measures regarding its cooperation with Mauritania, replacing the general freeze of the cooperation in force since the Coup. They took note of the decision of the chairman of the "High State Council" to resign from this office and of the transfer of presidential powers *ad interim* to the President of the Senate despite the fact that the legitimate President has never relinquished his mandate. Ministers expressed concern over the lack of positive steps towards a consensual solution to the crisis based on a transparent, inclusive, representative and fair political process leading as soon as possible to the restoration of constitutional order in Mauritania.

Guinea

28. Ministers took note of the President of CNDD Dadis Camara's preliminary announcement to organize legislative and presidential elections on 11 October and 13 December 2009, respectively. They encouraged the authorities to respect this calendar as it constitutes an important step in the process of a return to constitutional order. They welcomed the recent lifting of the ban on political activities, as a precondition for free and fair elections in the country. On another note, Ministers while stressing the need to end impunity in Guinea, expressed concern in the manner that the authorities are conducting the arrest and prosecution of suspects of corruption and organized crime. Respect for legal procedures is essential. The EU announced that consultations under article 96 of the Cotonou Agreement will be undertaken on 29 April in Brussels to which the AU has been invited to participate.

III.c. Zimbabwe

29. The two sides welcomed the progress in the implementation of the Global Political Agreement (GPA) in particular the formation of the Government of National Unity in Zimbabwe. They urged the parties to strictly abide by the provisions of the GPA, including the respect for the rule of law, and to do whatever they can to ensure the successful conclusion of the process they have initiated and create a conducive environment to this end, in the best interest of the people of Zimbabwe.
30. Ministers exchanged views on the international efforts related to Zimbabwe, including the visit of the International Monetary Fund mission on 9-24 March. They discussed the reengagement with the Zimbabwean government, relations with the International Finance Institutions and ways of maintaining and strengthening the involvement of the UN, AU, SADC and South Africa in the process. The EU welcomed the decision of the Government of National Unity of Zimbabwe to engage in a political dialogue with the EU.

31. Ministers discussed the humanitarian situation in the country and noted that the need for humanitarian assistance would persist for a long time. The African side urged the EU to continue to provide the much needed assistance to alleviate the suffering of the people of Zimbabwe and help the social economic recovery of the country and reiterated its call for the immediate lifting of all sanctions imposed on Zimbabwe. The EU reaffirms its commitment to the Zimbabwean people through a substantial and long standing programme of humanitarian aid. The EU reaffirms that it stands ready to support the economic and social recovery of Zimbabwe once it shows tangible signs of a return to respect for human rights, the rule of law and macroeconomic stabilization. The EU stressed that it has not imposed sanctions on Zimbabwe as a country but restrictive measures targeted at individuals and entities related to atrocities and electoral violence. The EU called upon the Zimbabwean authorities for the immediate release of all political prisoners. The African side reiterated its urgent appeal to the EU to address the situation in Zimbabwe with the required flexibility in order to facilitate the early social economic recovery of the country and the consolidation of the progress made so far.

III.d. Other issues

32. Ministers generally welcomed the exemplary cooperation among the international partners in their efforts to support the transition to democracy in Mauritania and Guinea. Ministers were of the view that maintaining the constitutional order in the case of Guinea-Bissau could be accomplished, especially with the adequate support of partners in areas such as organization of elections, security sector reform and fight against drug trafficking.
33. Ministers emphasised that political instability, fragile institutions and lack of resources give rise to organised crime, particularly the trafficking of drugs, small arms and light weapons and human beings. They stressed the need for continuing cooperation with national administrations, the regional organisations and the UN in assisting States in the area, especially those in a post-conflict situation, to build up the necessary capacity to effectively meet these challenges. Ministers stressed the need for an independent investigation into the killing of President Joao Bernardo Vieira, and encouraged the AU, ECOWAS and CENSAD to take the necessary steps to that end.

III.e. Peace and Security Issues in Europe / Western Balkans

34. The African side took note of the position of the EU that the European perspective of the Western Balkans as set out in the Stabilisation and Association Process, the 2003 Thessaloniki Agenda for the Western Balkans and the 2006 Salzburg Declaration remains essential for the stability, reconciliation and the future of the Western Balkans. The EU presence in the Western Balkans within the ESDP framework is a key part of the EU's comprehensive approach. Sustaining stability is necessary for achieving progress on the way to European integration.

35. The EU side stressed that the Stabilisation and Association Process remained the overall framework for the European course of the Western Balkan countries all the way to their future accession. Stabilisation and Association Agreements and Interim Agreements have been signed with six Western Balkan countries.
36. Referring to the elections in the Western Balkans region, the EU side recalled the importance of ensuring free and fair elections in line with international standards and commitments. The EU assists the economic and political development of Kosovo through a clear European perspective, in line with the European perspective of the region. Kosovo's full involvement in regional initiatives needs to be ensured in a constructive manner. Regional cooperation among the whole of Western Balkans is key as it contributes to a shared understanding in the region and to finding solutions for issues of common interest.

IV. AFRICAN INTEGRATION PROCESS AFTER THE AU SUMMIT IN ADDIS

37. Ministers welcomed progress made in the integration of NEPAD into the AU structures and processes and encouraged the AU Commission to finalize this process. Ministers further welcomed progress in the development of a Minimum Integration Programme, aimed at intensifying current economic cooperation initiatives and measures to accelerate integration in the selected priority sectors or areas, removing barriers to free flow of people, goods, services and capital, and improve the conditions necessary for an integrated continent to function as a single market. The African side informed the EU about its ongoing efforts towards the transformation of the AU Commission into an AU Authority in line with the decision of the 12th Ordinary Session of the Assembly of the African Union in February 2009.

V. Legal issues

38. Ministers recalled the necessity to fight impunity in the framework of national and international law to ensure that individuals who commit grave offences such as war crimes and crimes against humanity, genocide and torture do not do so with impunity but are brought to justice.
39. Ministers took note of the report of the independent technical expert group to clarify the respective understandings on the principle of universal jurisdiction. The Ministers recalled that the group was set up in the light of the recognition that the issue has negative consequences for the relationship between the EU and the African side. They expressed their gratitude to the six independent experts for their work and expressed their hope that this undertaking had served the purpose as requested by the Ministerial Troika meeting in November 2008. They agreed that the report should be shared with the organs of the EU and the AU as well as Member States.

40. Hissene Habré

Ministers took note of the decision adopted by the AU Assembly of Heads of State and Government in February 2009 concerning the trial of former Chadian President Hissene Habré in Senegal inviting the African Union in conjunction with the Government of the Republic of Senegal and in close coordination with the European Commission to produce the final budget of the trial and to engage forthwith with other partners on this basis. Ministers underlined the need to produce this budget as soon as possible.

VI. DATE AND VENUE OF THE 13TH MINISTERIAL TROIKA MEETING

41. Ministers agreed to hold the 13th Africa-EU Ministerial Troika Meeting on 14 October 2009 in Addis Ababa.

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H. E. Jan Kohout,

H.E. Dr. Ali A. Treki

Deputy Minister for Foreign Affairs of the
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For the EU side

For the African side
