



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 November 2006

14783/06

**ACP 200
COAFR 241**

"I/A" ITEM NOTE

from: ACP Working Party
dated: 24 October 2006
to: COREPER/Council

No. prev. doc. : 13883/06 ACP 168 COAFR 220 OC 738

No. Cion prop. : 13682/06 ACP 161 COAFR 212

Subject : Council Decision amending Decision 2004/793/EC concluding the consultation procedure with the Togolese Republic under Article 96 of the Cotonou Agreement

1. As a consequence of the recurrent failure to respect human rights and democratic principles in Togo, the Council decided on 15 November 2004 (OJ 349, 15.11.2004, p. 17) to adopt appropriate measures pursuant to Article 96 of the Cotonou Agreement. The Council Decision, which is linked to a list of 22 undertakings given by the Togolese Government, is valid until 14 November 2006.
2. Since the Council Decision was taken, three assessment missions were carried out in Togo, in order to evaluate the political developments in the country. The missions took place, respectively, on 11-16 July 2005, on 28-31 March 2006 and on 17-19 October 2006.

3. The reports of the assessment missions have noted that, after a period of turmoil and political crisis in the first part of 2005 following the death of President Eyadema, starting from the second half of 2005 the political situation in the country has marked a regular and steady progress. The findings of the last mission were that Togo is on track in honouring most of the undertakings given during the Article 96 consultations. In the days following the mission, another fundamental political progress was achieved, with the announcement by the National Electoral Commission of the date for the next parliamentary elections on 24 June 2007.

4. On 6 October 2006 the Commission forwarded to the Council a proposal (doc. 13682/06) for a Council Decision to modify the appropriate measures taken in 2004. The text was analysed by the ACP Working Party on 10 October 2006 and on 24 October 2006. Some amendments were agreed on the basis of the findings of the last assessment mission and of the information on the date for the elections in Togo. The definitive text was approved by the ACP Working Party on 24 October 2006.

5. Coreper is invited to recommend that the Council adopt, as an "A" point of its agenda, a Council Decision amending Decision 2004/793/EC on Togo pursuant to Article 96 of the Cotonou Agreement, together with the text of a letter to be sent to the Prime Minister of Togo informing him of the decision (J/L doc. 13883/06).
