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Ana Gomes, MEP
European Parliament
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B-1047 Brussels
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Catherine Ashton

Dear Ana Gomes,

Thank you for your correspondence of 8 April on the trial of former President of Chad, Hissène Habré.

I would like to reassure you that the European Union fully shares your views on the importance of a rapid organisation of the trial of Hissène Habré by Senegal, as this would constitute an important step forward in the fight against impunity.

The EU, nevertheless, can hardly remedy the inaction of Senegal, which has been entrusted by the African Union with the organisation of the trial on behalf of Africa. Indeed, the EU has used every possible opportunity to remind the Senegalese authorities of their commitment to try Hissène Habré. While it is true that Senegal did not act upon the conclusions of the expert mission organised in January 2008, the EU took on board these conclusions and repeatedly urged both the African Union and the Senegalese authorities to start preparations without delay. As a matter of fact, the EU did not hesitate to play, in a number of cases, the role of an informal facilitator between the AU and the Senegalese authorities to help steer the process forward.

The European Commission also made it clear on various occasions that it was prepared to make a sizable financial contribution to help meet the costs of the trial – and this offer is of course still valid.

I cannot, therefore, share your view that "the EU's review of the dossier drags on". On the contrary, the EU has proactively engaged the African Union and Senegal to try to overcome the obstacles to start the trial. The EU reacted promptly when Senegal, last summer, requested EU support for the finalisation of the budget of the trial. Unfortunately, at the same time, the AU dispatched a mission to Senegal and produced a report which was not accepted by the Senegalese government in September. These developments delayed the deployment of the EU mission, which finally received an agreement to visit Senegal last December, together with AU experts. The reason why experts have not yet produced a report is that the terms of reference of the expertise foresee a second mission in the field, which should have been deployed in April but had to be postponed at the last minute owing to the disruption of the EU airspace as a result of the volcanic eruption in Iceland.

The European Commission is also in regular contact with the African Union with a view to agreeing arrangements for the organisation of a donors' roundtable with a view to funding the trial and for managing the budget once the trial starts. You may rest assured that, in this context, the EU will continue to act as a driving force for a timely start of this long overdue trial.

Yours truly,

Ennio Spinnelli, ASP 14G334
Ennio Spinnelli
Ennio Spinnelli

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Catherine Ashton

Thank you for your message of 14 July 2008 on the trial of former President of Senegal, General

I would like to inform you that the Commission is currently reviewing your views on the possibility

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