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THE EUROPEAN UNION**



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General Affairs and External Relations

Brussels, 22 July 2008

President

Mr Bernard KOUCHNER
Minister for Foreign Affairs of France

P R E S S

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Main results of the Council

The Council welcomed the arrest of Radovan Karadzic, who has been indicted by the ICTY for genocide, crimes against humanity and war crimes. It felt that this development illustrated the commitment of the new government in Belgrade to contribute to peace and stability in the Balkans region, and was a significant step in **Serbia's** rapprochement with the EU. The Council encouraged the Serbian Government to continue along this road.

The Council regretted that the people of **Zimbabwe** were unable to vote freely in the election on 27 June, the result of which the EU regards as illegitimate. The Council decided to penalise those responsible for the campaign of violence which marked the elections, by extending the restrictive measures (a visa ban and the freezing of funds) to more individuals, and by adding entities linked to them. The Council also decided to reinforce the travel ban arrangements. The Council declared that it was ready to continue giving its support to any credible mediation effort which might lead to the establishment of a transitional government and to the holding as soon as possible of free, pluralist and transparent elections.

The Council also held detailed discussions on:

- **Ukraine**, with a view to the EU-Ukraine summit to be held on 9 September 2008, and in the context of the ongoing negotiations on an enhanced agreement;
- the **Middle East**, and the Union's contribution to efforts to support the peace process, in the presence of the representative of the Quartet, Tony Blair.

CONTENTS¹

PARTICIPANTS..... 5

ITEMS DEBATED

UKRAINE..... 7

ZIMBABWE - Council conclusions 8

CHAD/CENTRAL AFRICAN REPUBLIC - *Council conclusions* 11

SOMALIA - *Council conclusions*..... 13

IRAN 14

MIDDLE EAST 14

WESTERN BALKANS - *Council conclusions* 15

OTHER BUSINESS 16

Transatlantic relations 16

Georgia..... 16

EVENTS IN THE MARGINS OF THE COUNCIL 16

OTHER ITEMS APPROVED

EXTERNAL RELATIONS

– EU/Kazakhstan - Partnership and Cooperation Agreement - Enlargement..... 17

– EU-Mexico Joint Council..... 17

– International Rubber Study Group 17

BUDGET

– Draft amending budget for 2008: EU own resources and UK correction..... 17

¹

- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

DEVELOPMENT COOPERATION

- EU system of generalised trade preferences for 2009 to 2011 18
- Aid effectiveness - Third High-Level Forum 19
- European Consensus on Humanitarian Aid - Action Plan 19

GENERAL AFFAIRS

- Proceedings in the Council's other configurations 20

ECONOMIC AND FINANCIAL AFFAIRS

- Report by the Court of Auditors on the European Union Solidarity Fund 20

RESEARCH

- Fusion energy - cooperation agreements with Brazil, China and India 22

PARTICIPANTS

The governments of the Member States and the European Commission were represented as follows:

Belgium:

Mr Olivier CHASTEL

State Secretary for Foreign Affairs with responsibility for preparing for the EU Presidency, attached to the Minister for Foreign Affairs

Bulgaria:

Mr Ivailo Georgiev KALFIN

Deputy Prime Minister and Minister for Foreign Affairs

Czech Republic:

Mr Alexandr VONDRA

Deputy Prime Minister with responsibility for European Affairs

Mr Karel SCHWARZENBERG

Minister for Foreign Affairs

Denmark:

Mr Claus GRUBE

Permanent Representative

Germany:

Mr Frank-Walter STEINMEIER

Deputy Federal Chancellor and Federal Minister for Foreign Affairs

Estonia:

Mr Urmas PAET

Minister for Foreign Affairs

Ireland:

Mr Micheál MARTIN

Minister for Foreign Affairs

Greece:

Mr Ioannis VALINAKIS

State Secretary for Foreign Affairs

Spain:

Mr Miguel Ángel MORATINOS

Minister for Foreign Affairs and Cooperation

France:

Mr Jean-Pierre JOUYET

Minister of State with responsibility for European affairs

Italy:

Mr Franco FRATTINI

Minister for Foreign Affairs

Cyprus:

Mr Markos KYPRIANOU

Minister for Foreign Affairs

Latvia:

Mr Normans PENKE

State Secretary, Ministry of Foreign Affairs

Lithuania:

Mr Petras VAITIEKŪNAS

Minister for Foreign Affairs

Luxembourg:

Mr Jean ASSELBORN

Deputy Prime Minister, Minister for Foreign Affairs and Immigration

Hungary:

Ms Kinga GÖNCZ

Minister for Foreign Affairs

Malta:

Mr Tonio BORG

Deputy Prime Minister and Minister for Foreign Affairs

Netherlands:

Mr Frans TIMMERMANS

Minister for European Affairs

Austria:

Ms Ursula PLASSNIK

Federal Minister for European and International Affairs

Poland:

Ms Grażyna Maria BERNATOWICZ

Deputy State Secretary, Ministry of Foreign Affairs

Portugal:

Mr Luís AMADO
Mr Manuel LOBO ANTUNES

Minister of State, Minister for Foreign Affairs
State Secretary for European Affairs, attached to the
Minister for Foreign Affairs

Romania:

Mr Lazăr COMĂNESCU

Minister for Foreign Affairs

Slovenia:

Mr Dimitrij RUPEL
Ms Barbra BOROTA

Minister for Foreign Affairs
State Secretary for European Affairs

Slovakia:

Mr Olga ALGAYEROVA

State Secretary at the Ministry of Foreign Affairs

Finland:

Mr Alexander STUBB

Minister for Foreign Affairs

Sweden:

Mr Carl BILDT

Minister for Foreign Affairs

United Kingdom:

Mr David MILIBAND

Secretary of State for Foreign and Commonwealth Affairs

.....
Commission:

Mr Olli REHN
Mr Louis MICHEL
Ms Benita FERRERO-WALDNER

Member
Member
Member

.....
General Secretariat of the Council:

Mr Javier SOLANA

Secretary-General/High Representative for the CFSP

ITEMS DEBATED

UKRAINE

The Council held an exchange of views on EU-Ukraine relations. It took note of preparations for the forthcoming EU-Ukraine summit, which is to be held in Evian on 9 September 2008, and took stock of progress in negotiations on a new enhanced agreement between the European Union and Ukraine. These follow the Council's adoption of negotiating directives on 22 January 2007.

Discussions covered the title of the future agreement, its preamble, and the question of a dialogue on visas. In the light of those discussions the Presidency will continue work on these issues with a view to the summit and continuing negotiations.

ZIMBABWE - Council conclusions

The Council considered the situation in Zimbabwe and adopted the following conclusions:

- "1. The Council regrets that the Zimbabwean people were unable to vote freely in the election on 27 June, the result of which the EU regards as illegitimate. The Council notes that the election observation missions of the Pan-African Parliament, the African Union and the SADC concluded that the elections had not complied with AU standards and had not reflected the will of the Zimbabwean people.
2. Recalling the warning given by the European Council on 19 June, the Council has decided to penalise those responsible for the campaign of violence which has marked these elections, by amending Common Position 2004/161/CFSP to extend restrictive measures (a visa ban and the freezing of funds) to individuals who do not yet appear on the list annexed to that Common Position, and by adding bodies linked to them. The Council has also decided to reinforce the travel bans against the individuals appearing on the sanctions list. In the coming weeks, the relevant Council bodies will examine the measures which might be taken against others responsible for violence, and other bodies linked to them.
3. The Council also encourages the African Union's efforts and calls for a rapid and tangible implementation of its resolution of 1 July. It repeats that in no way is it able to accept as a fait accompli the status quo currently prevailing in Zimbabwe. The Council also notes SADC's efforts, and stresses the importance of pursuing active engagement by the AU to support SADC's efforts. It notes the signing in Harare on 21 July of a memorandum of understanding between the Zimbabwean parties under the aegis of SADC and with the contribution of the AU and the United Nations. The EU will continue to raise this situation in its high-level contacts with the SADC countries and other African countries, in particular at the next summit with South Africa on 25 July 2008.

4. The Council endorses the principles stated by the EU on 4 July 2008. It is ready to continue giving its support to any credible mediation effort which might lead to the establishment of a transitional government and to the holding as soon as possible of free, pluralist and transparent elections. The Council wants the will of the Zimbabwean people, which was expressed on 29 March, to be respected. At the same time, the Council calls for the violence and human rights violations to be stopped at once, and calls for the restrictions on the distribution of humanitarian aid to be lifted.
5. The Council regrets that the United Nations Security Council was not able to agree on a package of restrictive measures by virtue of Chapter VII of the United Nations Charter, including an embargo on providing arms to Zimbabwe. The Council notes that the draft resolution submitted for a vote on 11 July received broad support. The Council counts on the continuing engagement of the United Nations and supports the appointment of a United Nations envoy.
6. In the absence of any positive development in the next few weeks towards a transitional government based on the results of the elections of 29 March 2008, the Council is prepared to take the additional measures it considers appropriate. It asks its relevant bodies to continue to examine the possible options. It will return to this question when it meets in September."

The Council adopted a Decision expanding the list of persons and entities covered by restrictive measures against the Zimbabwean regime by virtue of Common Position 2004/161/CFSP (11611/08 + 11611/08 ADD1).

The Decision, which adds 37 further persons to the list and, for the first time, four economic entities, follows the violence organised and committed by the Zimbabwean authorities during the presidential election campaign in 2008, which turned the election into a denial of democracy. In addition to their activities seriously undermining democracy, respect for human rights and the rule of law in Zimbabwe, these persons and entities are associated with the regime by their functions or through their participation in or encouragement of the violence.

The list, which until now contained 131 persons, now concerns 168 persons and four entities.

The Decision implements Common Position 2004/161/CFSP, which imposes an EU entry visa ban for persons whose activities seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe, and which freezes the economic resources belonging to members of the government of Zimbabwe and to persons and entities associated with them.

The Council also reached political agreement on the adoption of a common position which will make the granting of exemptions from the EU travel ban for persons appearing on the list more stringent, by reinforcing the provisions of Common Position 2004/161/CFSP. This common position will be adopted at a forthcoming meeting of the Council.

The restrictive measures against Zimbabwe were introduced in February 2002. An embargo on supplying arms and equipment which might be used for internal repression is also in force, as is a suspension of aid except for assistance for the population and humanitarian aid.

CHAD/CENTRAL AFRICAN REPUBLIC - Council conclusions

At lunch, Ministers briefly discussed the EUFOR Chad/RCA military operation, and adopted the following conclusions:

- "1. The Council recalls its conclusions of 16 June 2008, underlining the key contribution made by operation EUFOR Chad/RCA, MINURCAT and UNAMID to bringing security to the region and thus to the efforts to consolidate peace and reconciliation, and to improving the humanitarian situation. In accordance with United Nations Security Council Resolution 1778 (2007), the European Union is conducting the EUFOR Chad/RCA military bridging operation for twelve months starting from the day on which the initial operational capability was achieved, namely 15 March 2008.
2. The Council notes that approximately 3 200 men are now deployed on the ground. Battalions South and Centre are fully operational. Battalion North is currently being deployed. The Council welcomes the signature of the participation agreement with Albania on 13 July. The Council wishes an ad hoc participation agreement to be concluded with Russia rapidly so that Russia's contributions can be deployed as soon as possible. Negotiations with other third countries are under way.
3. Since the declaration of Initial Operating Capability on 15 March 2008, EUFOR Chad/RCA has played a key role in bringing security to the areas where it is present, in particular during the attacks in mid-June by rebel movements in the Goz Beïda region. Thus, by protecting refugees, displaced persons and humanitarian staff, operation EUFOR Chad/RCA has acted in accordance with its mandate. EUFOR Chad/RCA will continue to act in a way that is impartial, neutral and independent.
4. The Council notes the quality of the relations reestablished between the European force and the humanitarian actors on the ground, and notes that pragmatic solutions have been found in accordance with EUFOR's mandate, to meet the security needs whilst taking into account the *modi operandi* of each party. The systematic integration of human rights issues and the protection of women and children in armed conflicts into the conduct of the operation, in accordance with United Nations Security Council Resolutions 1325 and 1612, will continue.

5. Highlighting the excellent coordination established between operation EUFOR Chad/RCA and the United Nations, the Council wishes MINURCAT to be deployed as swiftly as possible. MINURCAT's role is central in responding effectively to the non-military threats of banditry and crime.
6. Operation EUFOR Chad/RCA forms part of the multidimensional support provided to the region by the European Union. The Council notes with satisfaction the consistency between the European force's action, the cooperation and development measures taken by the European Community on the ground, and the provision of humanitarian aid. In particular, the Council welcomes the fact that the Commission, by means of its accompanying programme for stabilisation, is backing up the assistance given to rehabilitation and reconstruction in eastern Chad. Furthermore, the European Union will continue to support the inter-Chadian dialogue process by following up the agreement of 13 August 2007 and by participating as an observer in the meetings of the contact group under the Dakar Agreement.
7. The Council notes the smooth conduct of the joint European Union - United Nations evaluation mission in Chad and in CAR from 18 to 24 June. The Union's report on operation EUFOR/Chad halfway through its mandate is currently being examined by the relevant Council bodies.
8. The Council notes that the need, underlined by United Nations Security Council Resolution 1778, to create conditions in eastern Chad and in the northeast of CAR which are favourable to the voluntary, secure and sustainable return of refugees and displaced persons, and to the reconstruction and the economic and social development of these areas, should be maintained beyond the end of EUFOR's mandate on 15 March 2009. Bearing this in mind, the Council urges that from now on, after duly consulting the Chadian and Central African authorities, all steps be taken to ensure that arrangements for following up the EU's operation are put in place, with the possible inclusion of a United Nations operation, in accordance with Article 10 of Resolution 1778."

SOMALIA - Council conclusions

The Council briefly discussed the situation in Somalia, and adopted the following conclusions:

- "1. The Council considers that the international community must remain engaged in supporting the implementation of the agreement concluded in Djibouti on 9 June 2008. It here welcomes the African Union's commitment, at its last summit, in Sharm-el-Sheik, to increase its support for Somalia's efforts to restore peace in the country. The Council reaffirms its concern at the humanitarian situation and at the difficulties in getting aid through to the population, in particular to refugees and displaced people. It points out that strengthening the African Union mission in Somalia (AMISOM) is a crucial first step in improving security on the ground and helping to improve the humanitarian situation.
2. The Council supports the United Nations and in particular the UN Secretary-General's Special Representative; they have an important part to play in assisting the peace process. It is anxious to keep up the momentum required for a lasting political solution in Somalia. The strengthening of the transitional federal institutions and of the national police forces are vital for the implementation of the Djibouti agreement and for the establishment of real authority throughout the country.
3. With reference to its conclusions of 26 May and 16 June 2008, the Council reaffirms its commitment to a comprehensive approach for a lasting settlement of the Somali crisis, covering its political, security and humanitarian aspects.
4. The Council is taking an interest in the options being considered for stepping up European Union action in Somalia, including support for implementation of the Djibouti agreement.
5. The Council again points to its concern at the acts of piracy and armed robbery off the coast of Somalia. In accordance with its conclusions of 26 May and 16 June 2008, it is keen that work under way on options for a European Union contribution to implementation of UN Security Council Resolution 1816 should be rounded off as soon as possible."

IRAN

High Representative Javier Solana briefed the Council on his meeting in Geneva on 19 July 2008 with the Iranian negotiator on the nuclear issue, Said Jalili. On that basis, the Council held an exchange of views on the Iranian nuclear programme and on the implementation by the European Union of the dual track strategy.

MIDDLE EAST

The Council held a detailed exchange of views on the situation in the Middle East and on the Union's contribution to efforts to support the peace process, in the presence of the representative of the Quartet, Tony Blair. Ministers will return to this subject at their informal meeting on 5 and 6 September 2008.

WESTERN BALKANS - Council conclusions

The Council discussed the Western Balkans, particularly in the context of the arrest of Radovan Karadzic, and adopted the following conclusions:

"SERBIA

The Council welcomes the arrest of Radovan Karadzic, who is indicted by the ICTY for genocide, crimes against humanity and war crimes. This development illustrates the commitment of the new government in Belgrade to contribute to peace and stability in the Balkans regions. It is a significant step on Serbia's path towards the EU.

The Council encourages the Serbian government to continue along that path.

The Council draws attention to the European Council conclusions of 19 and 20 June 2008, which state that Serbia can accelerate its progress towards the EU, including candidate status, as soon as all the necessary conditions are met.

The Council also encourages the new Serb government to maintain positive relations with the European Union and its Member States and to take a constructive approach towards the EU's efforts to contribute to peace and stability in the Balkan region.

The Council also reiterates its attachment to dialogue on visa liberalisation with Serbia and calls on the new government to focus on full implementation of the criteria set out in the road map."

OTHER BUSINESS

Transatlantic relations

The Council briefly discussed the handling of transatlantic relations and agreed that a broader discussion on those relations would take place at the informal meeting of Ministers for Foreign Affairs on 5 and 6 September 2008.

Georgia

The Council heard a presentation by the German Minister, Mr Steinmeier, on his recent visit to Georgia.

EVENTS IN THE MARGINS OF THE COUNCIL

- 10th meeting of the EU-Kyrgyzstan Cooperation Council (see press release, 12078/08)

OTHER ITEMS APPROVED

EXTERNAL RELATIONS

EU/Kazakhstan - Partnership and Cooperation Agreement - Enlargement

The Council adopted a Decision on the signing and provisional application of a protocol to the Partnership and Cooperation Agreement with Kazakhstan, to take account of the accession of Bulgaria and Romania to the EU in January 2007.

EU-Mexico Joint Council

The Council approved the position to be taken by the Community within the EU-Mexico Joint Council concerning the amendments to Joint Council Decision No 2/2000 (as amended by Decision No 3/2004) and the amendments to Decision No 2/2001.

The purpose of these amendments is to adapt certain commercial provisions relating to the trade in goods and services as required following the accession to the EU of Romania and Bulgaria in January 2007.

The Economic Partnership, Political Coordination and Cooperation Agreement between the EC and Mexico was signed in Brussels in December 1997 (OJ L 276, 28.10.2000, p. 45).

International Rubber Study Group

The Council adopted a Decision authorising the Commission to open negotiations for the revision of the Constitution of the International Rubber Study Group.

BUDGET

Draft amending budget for 2008: EU own resources and UK correction

The Council adopted a Decision establishing preliminary draft amending budget No 5 to the EU's general budget for 2008 ([11384/08](#)). The budget documents will be forwarded to the European Parliament in accordance with the budgetary procedure.

This draft amending budget covers the following two points, which result in a change in the apportionment between Member States of their own resources contributions to the EU budget:

- revision of the forecast of traditional own resources (i.e. customs duties, agricultural duties and sugar levies) and of the VAT and GNI bases; and
- entry in the budget of the first update of the 2007 UK correction and of the final amount of the 2004 UK correction, as well as their financing.

DEVELOPMENT COOPERATION

EU system of generalised trade preferences for 2009 to 2011

The Council adopted a Regulation updating the EU system of generalised tariff preferences for 2009 to 2011 ([9792/08](#)).

The generalised system of preferences (GSP) allows access to the Community market for manufactured products and certain agricultural products from developing countries, with a full or partial exemption from customs duties. The system enables the EU to assist those countries in their struggle against poverty, by helping them obtain an income through international trade.

The GSP for 2009 to 2011 is focused mainly on encouraging sustainable development and good governance in the countries which need them most. This update is in the framework of the guidelines adopted by the Commission in 2004, which established the main principles of the GSP for 2006 to 2015.

Introduced in the 1970s, the GSP is part of the overall framework of the priorities of Community trade policy, particularly those established by the World Trade Organisation (WTO). Thus the GSP is an instrument both of EU trade policy and of EU development policy.

Some 180 countries and territories currently appear on the list of beneficiaries of the Community system of generalised tariff preferences.

Aid effectiveness - Third High-Level Forum

The Council approved the guidelines for the participation of the EU in the Third High-Level Forum on Aid Effectiveness to be held in Accra (Ghana) from 2 to 4 September 2008.

European Consensus on Humanitarian Aid - Action Plan

The Council adopted the following conclusions:

- "1. The Council welcomes the Action Plan ¹ presented by the Commission for the implementation of the European Consensus on Humanitarian Aid ² as an important contribution to efficient, well-coordinated and reinforced European humanitarian aid.
2. The Council endorses the Action Plan. It sets out practical steps by EU donors to implement the Consensus commitments and thereby strengthen the efficiency of the European contribution to humanitarian aid, underpinning local, regional and international efforts to ensure an adequate overall humanitarian response.

¹ Doc. 10163/08.

² OJ C 25, 30 January 2008, p. 1.

3. As one of the main actors the Council will engage actively in the implementation of the Action Plan. The Council will ensure regular review of progress on implementation and discuss priorities, in particular in the Working Party on Humanitarian Aid and Food Aid.
4. The Council recalls that a partnership approach is fundamental to the effective delivery of humanitarian aid and that actions outlined in the Action Plan should be pursued where appropriate in close collaboration with the humanitarian partner organisations and other stakeholders."

GENERAL AFFAIRS

Proceedings in the Council's other configurations

The Council took note of a report by the Presidency on proceedings in the Council's other configurations ([11752/08](#))

ECONOMIC AND FINANCIAL AFFAIRS

Report by the Court of Auditors on the European Union Solidarity Fund

The Council adopted the following conclusions:

"THE COUNCIL,

1. WELCOMES the Court of Auditors' Special Report No 3/2008 which examined how rapid, efficient and flexible the European Union Solidarity Fund was between 2002 and 2006;

2. NOTES that the Court's main conclusions and recommendations are that:

- (a) the Fund does not provide a rapid response. The response time necessary mainly depended on the extent of the administrative rules applied, the rapidity of the Commission, the promptness of national authorities and the quality of information provided by the applicants;
- (b) the Commission's management has proved efficient and indeed the total cost of managing the Fund is very low in relation to the aid granted;
- (c) there are no cases where the Fund showed a lack of flexibility in its treatment of applications. However, there are a few cases where there is a lack of clarity in the criteria applied or in the justification of rejection;
- (d) all applicants who replied to the survey are satisfied with the Fund; the Fund has therefore met its underlying objective of demonstrating solidarity with the Member States in times of disaster;
- (e) the Commission should provide detailed guidance on the requirements of an application and establish direct contact with the applicant with a view to speeding up the processing of the application as soon as the Commission is informed of a disaster;

3. APPRECIATES the Commission's constructive response to the Special Report;

4. CONCLUDES that in general the management of the Fund is efficient, but

CONSIDERS that there is room and need for improvement in the speed of management of the Fund, and therefore:

- (a) URGES Member States to carefully assess the validity of applications before presenting them to the Commission, and

- (b) WELCOMES the Commission's commitment not to present preliminary amending budgets to activate the Fund to the Budget Authority together with other budgetary changes which may cause a delay in the adoption of the proposal;
- 5. STRESSES that the Council sees no need at this stage, on the basis of the Special Report, for a revision of Regulation (EC) No 2012/2002;
- 6. CALLS UPON the Commission to have regard to the remaining recommendations of the Special Report."

RESEARCH

Fusion energy - cooperation agreements with Brazil, China and India

The Council approved Decisions authorising the Commission to open negotiations on cooperation agreements between the European Atomic Energy Community (Euratom) and Brazil, China and India in the field of fusion energy research.
