

15078/01 (Presse 460)

2397th Council meeting

**- GENERAL AFFAIRS -**

Brussels, 10 December 2001

President : **Mr Louis MICHEL**  
Deputy Prime Minister and Minister for  
Foreign Affairs of Belgium

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**General Secretariat of the Council :**

Mr Javier SOLANA	Secretary-General/High Representative for the CFSP
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**PROCEEDINGS IN THE COUNCIL'S OTHER CONFIGURATIONS – TAKING STOCK**

The Council took stock of progress made on the most important issues currently under discussion in the Council's other configurations.

The purpose of this review, presented regularly by the Presidency, was to give the General Affairs Council an overview of the most important issues dealt with in the Council's other configurations so that it could ensure that the Council's activities were coordinated and consistent between themselves as well as with the Union's overall goals.

The President was pleased to note substantial progress, inter alia on matters mandated by the European Council, such as the adoption of structural indicators as laid down by the Lisbon strategy, maritime safety agreements – especially the Agency – and, in the area of JHA, the definition of terrorist offences, Eurojust and combating the sexual exploitation of children and child pornography.

However, he was disappointed at the lack of progress made on the Galileo project and the Community patent, as well as at the current lack of agreement on the list of offences covered by the European arrest warrant. He stressed the need for even greater efforts to settle outstanding differences so that conclusion could be reached on these matters as soon as possible, especially as the European arrest warrant would be up for discussion at the Laeken European Council.

**PREPARATION FOR THE LAEKEN SUMMIT**

The Council noted the information provided by the President on matters likely to be discussed at Laeken, as well as practical arrangements and how the proceedings were expected to unfold. The Council was briefed on preparations made by the various Council configurations, in particular so that it could judge whether the mandates given at previous European Councils had been fulfilled.

Subject to the customary letter of invitation which the President of the Council would be sending to his colleagues in the next few days, the programme for the meeting of the European Council was expected to be as follows:

- at the first working session on Friday morning, after the usual meeting with the President of the European Parliament, Ms Fontaine, the European Council will deal with issues relating to external relations, in particular the European Security and Defence Policy, as well as topical issues: the consequences of the attacks of 11 September, Afghanistan, the Middle East, the Western Balkans and Africa;
- after lunch, on invitation from HM King Albert II of Belgium, the second working session on Friday afternoon will deal with implementation of the justice and home affairs commitments in the Tampere Action Plan (including the unresolved problem of the European arrest warrant), enlargement, economic and social matters and the introduction of the euro.
- over dinner, members of the European Council will discuss the sites of various bodies and agencies, as well as the Laeken Declaration on the future of the Union.

The meeting on Saturday morning will put the finishing touches to the Laeken Declaration and the draft Presidency conclusions. It will be followed by a working lunch for the members of the Council with their counterparts from the candidate countries.

## **WHITE PAPER ON EUROPEAN GOVERNANCE**

The Council noted with interest the Commission White Paper on European governance and the measures proposed in it.

The Council undertook to hold a detailed discussion at a subsequent meeting and give the Commission its reaction in due course.

The Council took note with interest of the Commission communication of 5 December 2001 concerning better Community regulation, with a view to arriving at a plan of action during the first half of 2002.

## **MAKING A SUCCESS OF ENLARGEMENT – CONCLUSIONS**

The Council reaffirms the historical importance and the irreversible nature of the enlargement process and the political priority that it attaches to its success.

The Council welcomes the Commission's regular progress reports on the candidate countries and its "Making a success of enlargement" document. Those documents, together with the revised accession partnership agreements, set out the priorities to be followed by the candidate countries in order to prepare themselves for accession, with a view to the final phase of negotiations.

The Council welcomes the efforts made by the candidate countries over the past year to meet the accession criteria, including those on implementing the acquis. These efforts form part of the implementation of the road map and have allowed considerable progress to be made with negotiations. The Council calls on the candidate countries to sustain their efforts in the transposal, implementation and application of the acquis.

The Council agrees with the Commission's approach regarding the importance which the latter attaches to effective implementation of the acquis by the candidate countries. This includes, where appropriate, using the peer-review system and strengthening the administrative and judicial capacities of the candidate countries. The Council supports the principle of the action plan proposed by the Commission to provide enhanced administrative and judicial structures in those countries and the steps taken to that end. It welcomes the Commission's intention to report to the Seville European Council on this point.

Despite the growing complexity of the subjects to be dealt with, the considerable efforts of the candidate countries have meant that the negotiations have continued steadily according to the road map since the Nice European Council. This should make it possible to achieve the objective of completing the accession negotiations by the end of 2002 for those candidate countries that are ready, so that they can participate as members in the European Parliament elections of 2004, in accordance with the conclusions of the Nice and Göteborg European Councils. The Council reaffirms, for its part, its wholehearted determination to carry out its undertakings.

The Council notes that the Commission intends, on the basis of its next set of regular reports, to make recommendations for the timely conclusion of negotiations with those candidate countries which fulfil the conditions for accession. It invites the Commission, if possible, to submit the regular reports for the Brussels European Council in October 2002.

The Council intends to continue the enlargement process on the basis of the existing principles and reaffirms its determination to ensure the success of that process. Negotiations will accordingly continue to respect the principle of differentiation, own merits and catching-up. They will be conducted on the basis of the existing Community acquis, the principles of the Berlin Agreement and the financial perspective in force until the end of 2006 without prejudging the forthcoming reforms of Community policies.

The Council notes that, in the view of the Commission, the provisions on financing enlargement as approved by the Berlin European Council in March 1999 and the Inter-institutional Agreement of May 1999 constitute a sufficient basis for the accession in 2004 of those candidate countries which it thinks are ready. In accordance with the financial perspective approved in Berlin, it requests the Commission to present it with a proposal for a coherent financial framework by the end of January 2002 at the latest. The Council confirms its readiness to continue its work on this basis and calls on the Commission to provide, as soon as possible, any proposals for a common position which might assist the negotiations in line with the road map.

The Council invites the Commission to provide it in good time with all the elements needed for the drafting of the Treaties, which will begin under the Spanish Presidency.

The Council appreciates the efforts made by Bulgaria and Romania and encourages them to sustain their efforts to apply the Community acquis. The Council also confirms the Göteborg conclusions on the special efforts to assist those two countries.

The Council is pleased to note the Commission's intention of preparing for candidate countries that are not amongst the first to accede an updated road map and, if necessary, a revised pre-accession strategy which takes account of progress made in 2002 and indicates the way forward for completing negotiations with them.

The Council considers that it is feasible to set the objective of opening negotiations on all the chapters on the acquis in 2002, provided the candidate countries concerned are sufficiently prepared.

The Council supports the efforts made in the current process under the auspices of the United Nations to find a political settlement to the Cyprus question in accordance with the relevant United Nations Security Council Resolutions. The parties involved in efforts to resolve the Cyprus problem need to take full advantage of the window of opportunity before the completion of the accession negotiations to achieve a settlement. The Council welcomes the meetings on 4 and 5 December between Mr Clerides and Mr Denktash and hopes to see substantial progress in the continuation of the talks scheduled for mid-January 2002 under the auspices of the United Nations. The provisions for a political settlement can be accommodated within EU accession arrangements for Cyprus in line with the principles on which the European Union is founded. If a settlement has not been reached before the completion of the accession negotiations, the Council will take its decision on the accession of Cyprus in accordance with the Helsinki European Council conclusions.

The decisions taken in Helsinki have brought Turkey closer to the EU and opened new prospects for Turkey's European aspirations. In this connection, the Council welcomes the progress made by Turkey in implementing the pre-accession strategy and endorses the recommendations made by the Commission regarding the new phase of this strategy. To that end, the Council encourages Turkey to continue its efforts towards bringing about the necessary political, economic and administrative reforms, in particular to meet the Copenhagen criteria and implement the priorities of the Accession Partnership. Particular attention should be paid to improving respect for human rights. It also urges Turkey to continue to contribute actively towards finding a political settlement of the Cyprus problem in accordance with the above principles.

The Council considers that if enlargement is to be a success it is vital to run an effective campaign of communication with the people of the Member States and of the candidate countries. The Council therefore invites the Commission to present a report to the next European Council in Seville, outlining activities under way and measures to be taken.

The Council considers that the enlarged Union will have to develop all aspects of the close cooperation with the future border States to the Union, including enhanced cooperation on Justice and Home Affairs. With regard, more specifically, to cross-border cooperation with Russia, particular attention will be given to the Kaliningrad Oblast.

The Council thinks it necessary in the context of enlargement to set about relaunching the Union's Mediterranean policy in all its constituent parts.

The Council also thinks that the European Conference is a valuable framework for dialogue between the Member States of the Union and the countries aspiring to join Europe. It welcomes the Belgian Presidency's initiative in taking the opportunity provided by this Conference of enhancing European cooperation in the fight against terrorism. The Council confirms the participation of the countries mentioned in the Nice and Göteborg conclusions.

**EUROPEAN UNION ACTION FOLLOWING THE ATTACKS IN THE UNITED STATES**

The Council, in its role as coordinator of the measures being undertaken by the Union under the Action Plan against terrorism, examined the updated 'roadmap' setting out the current state of play on all the measures foreseen in the Action Plan. It was encouraged by the substantial progress which has been made, in particular in the areas identified as priorities by the European Council. It also welcomed the Presidency's intention to report to the Laeken European Council on progress made in implementing the Action Plan.

The Council has reached political agreement on a package of legal measures, including two Common Positions and a Regulation, which will enable the Union to take effective action to combat terrorism, including its funding, and which are a key element in responding to the obligations contained in UN Security Council Resolution 1373. The Council also agreed on an initiative to adapt the Union's policies on non-proliferation, disarmament and arms control in order to respond effectively to the threat of terrorism.

The Council welcomed the substantial progress reached on 7 December on the European arrest warrant, a common definition of terrorist offences and minimum sentencing thresholds and a decision to make Eurojust fully operational. These are key elements of the Action Plan and will make a significant contribution to the fight against terrorism.

The achievements to date are evidence of the Union's determination to win the fight against terrorism. The Union is committed to pursuing vigorously all those measures on which further work is necessary. It is also confident that the candidate countries, as well as those other countries which participated in the meeting of the European Conference on 20 October, will maintain their support for the international coalition.

The attitude of third countries to the fight against terrorism will be clearly reflected in all aspects of the Union's policies towards those countries.

## SCHEME OF GENERALISED TARIFF PREFERENCES

The Council adopted a new GSP (system of generalised tariff preferences) Regulation for the period 1 January 2002 to 31 December 2004 by a qualified majority, with Portugal voting against. The Regulation provides for improved access to the Community market (reduction of *ad valorem* duties at a flat rate of 3,5 percentage points of the most favoured nation (MFN) duty rate) for numerous exports of sensitive goods from developing countries, as well as significantly simplifying the GSP.

The purpose of the new scheme is to widen usage of the GSP as an important tool in development policy. As in the Regulation currently in force, non-sensitive products will continue to benefit from duty-free access. Tariffs will not be raised for any products under the new scheme. The new Regulation also includes provisions taken from the "Everything but Arms" Regulation, extending duty-free access to the least developed countries without any quantitative restrictions.

An increase in the supplementary tariff preferences available under the special schemes to encourage the protection of labour rights and of the environment has also been provided for (additional reduction of 5 percentage points). With regard to labour rights, qualifying conditions for the scheme have been tightened – every beneficiary country must now ensure that its national law incorporates the substantive content of the standards laid down in the eight International Labour Organisation (ILO) Conventions on fundamental principles and rights at work.

The possibility of withdrawing preferences granted under the GSP in the event of serious and systematic violations of ILO standards relating to fundamental principles at work has also been provided for, but only at the end of a procedure which, *inter alia*, grants the country concerned the opportunity to avoid such withdrawal by undertaking to adopt the measures necessary to comply with the standards.

The Council decided to add Pakistan to the list of countries included in the special arrangements to combat drug production and trafficking, which grants access by exemption from duties for all industrial products under the general GSP scheme and a large number of agricultural products. This measure will be particularly beneficial to the clothing sector in Pakistan. The decision was taken in the context of the international community's efforts to support Pakistan following the events of 11 September.

### **AFGHANISTAN – CONCLUSIONS**

The Council welcomes the signing in Bonn on 5 December of the Agreement laying down the provisional arrangements applicable in Afghanistan pending the re-establishment of permanent government institutions. It fully supports those arrangements. It is pleased to note that the United Nations Security Council has endorsed this Agreement by its Resolution 1383 of 6 December 2001.

The Council calls upon all the Afghan groups to implement this Agreement in full. It notes that the provisional arrangements must be the first step towards the formation of a broad based, multi-ethnic and fully representative government committed to a positive gender perspective and improving conditions for women. It reaffirms its determined support for the United Nations and in particular for the mission of the UN Secretary-General's Special Representative in Afghanistan.

The Council has appointed Ambassador Klaus-Peter Klaiber as the European Union's Special Representative for Afghanistan, responsible for contributing to the implementation of the Union's policy in that country. Under the authority of the SG/HR, he will work, in the framework laid down by Security Council Resolution 1378, in close liaison with the UN Secretary-General's Special Representative, whose action he will support.

The Council is aware of the importance and urgency of an adequate security environment in Kabul and the surrounding area, as stated in all respects in the Agreement of 5 December 2001, in particular as regards the possible establishment of an International Security Force. The Member States of the Union are willing to examine what contribution they can make in the framework of the United Nations Security Council Resolutions.

The Council also encourages neighbouring countries to develop relations of cooperation and confidence with the new interim administration which will be set up on 22 December and thus to contribute to endeavours to stabilise Afghanistan.

The Council reaffirms the pledge given by the Community and its Member States to play a significant role in the international effort under the auspices of the United Nations to contribute to reconstructing Afghanistan's society and economy. Compliance by all the Afghan groups with their political commitments will be decisive in this. The Council believes that the international community's effort will require a consistent and coordinated approach to humanitarian aid, immediate needs and reconstruction. It stresses the importance of speedily delivering tangible progress to the Afghan population in order to bolster the political agreements reached in Bonn.

Humanitarian aid constitutes an absolute priority for the Union. The Council would point out that since 11 September the European Union has already provided or undertaken to provide an amount of EUR 352 million in humanitarian and emergency aid. In this context, the Council continues to be concerned by the repeated attacks on representatives of humanitarian NGOs in Afghanistan. The Council stresses the importance of facilitating the delivery of humanitarian aid by all possible means.

The Council also notes the importance of the Afghan Support Group. This Group plays an essential role in bridging the gaps between humanitarian aid, immediate needs and the reconstruction of Afghanistan.

At the Presidency's initiative, the European Union will co-chair the next meeting of the Steering Group on the Reconstruction of Afghanistan in Brussels on 21 December. This meeting should aim to establish firm and lasting coordination arrangements with regard to assessing needs, identifying, implementing and providing follow-up to aid, and refining mechanisms for channelling financial assistance.

The Council commends the work carried out to formulate a strategy of the European Community and its Member States for the reconstruction of Afghanistan. It notes in particular the support given through the European Union's rapid reaction mechanism and backs the Commission's intention to establish rapidly a European Community team with full operational capability in Kabul. The Council also commends ECHO's intention to re-open its office in Kabul.

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Following attacks on a number of journalists, the Council draws attention to the urgency of improving media security.

**MIDDLE EAST – COUNCIL STATEMENT**

At a time when the situation in the Middle East is extremely serious, we cannot be inactive.

We are convinced that only determined and concerted action by the European Union, the United Nations, the United States and the Russian Federation can help the parties to break the cycle of violence and commit themselves once again to the search for peace. This requires:

- the reaffirmation and full recognition of Israel's irrevocable right to live in peace and security within internationally recognised borders;
- the establishment of a viable and democratic Palestinian State and an end to the occupation of Palestinian territories.

As a first step, the following pledges must be given:

- by the Palestinian Authority: the dismantling of Hamas' and Islamic Jihad's terrorist networks, including the arrest and prosecution of all suspects; a public appeal in Arabic for an end to the armed intifada;
- by the Israeli Government: the withdrawal of its military forces and a stop to extrajudicial executions; the lifting of closures and of all restrictions imposed on the Palestinian people; a freeze on settlements.

On the basis of this EU position and in the light of the discussions which we have had today in Brussels with Mr Shimon Peres and Mr Nabil Chaath, we have asked Javier Solana, S.G. High Representative for the CFSP, to go to the region and report back to the Laeken European Council.

The aim is to contribute, in concertation with the United Nations, the United States and Russia, to a speedy resumption of negotiations, without preliminaries.

**EUROPEAN SECURITY AND DEFENCE POLICY (ESDP)**

The Council discussed the draft Presidency report on the ESDP for the Laeken European Council, on which there was broad agreement, and forwarded it to the European Council for finalisation.

The draft report covers:

- continuous reinforcement of the European Union's capacity to take decisions and to act, in particular improving military capabilities and improving civil capabilities (see conferences on 19 and 20 November), strengthening political and support structures as well as developing procedures and preparing exercises;
- the operational capability of the Union;
- cooperation with NATO, other international organisations, the non-EU European Member States of NATO and other candidates for accession to the EU and other potential partners;
- a mandate for the Spanish Presidency to continue the work.

Over lunch the Council also discussed ongoing talks on arrangements for EU access to NATO assets and capabilities.

**WESTERN BALKANS – CONCLUSIONS**

The Council commended the efforts made by all the parties concerned in the former Yugoslav Republic of Macedonia (FYROM) and the work done by Mr Le Roy, the European Union's Special Representative, to facilitate the implementation of the Framework Agreement of 13 August, which have led to the adoption of the necessary constitutional amendments. It also commended the progress made by the FYROM authorities in their negotiations with the IMF. However, it stressed that it was still necessary for the law on local autonomy to be adopted so that the Commission and the World Bank could organise a donors' meeting without delay. The Council expressed the hope that this law would be approved as soon as possible.

By deciding today, 10 December 2001, on the principle of granting FYROM additional macrofinancial aid, and by extending the mandate of the European Agency for Reconstruction, the Council emphasised once more that the European Union remains determined to contribute to the economic recovery and stability of the country. However, the Council gave a reminder that this support remains conditional on the new government and all interested parties in the FYROM committing themselves to fully implementing the Ohrid Agreement and other confidence-building measures.

The Council also welcomed NATO's decision, at FYROM's request, to extend for three months Operation Task Force Fox, whose mission also covers the security of the EUMM and OSCE monitors deployed in FYROM.

The Council thanked the High Representative, Mr Solana, for his report on his visit to the Federal Republic of Yugoslavia (FRY). It welcomed the intentions expressed by Belgrade and Podgorica to resume dialogue. Repeating its conclusions of 19 November 2001 and its commitment to a democratic Montenegro in a democratic FRY, the Council invited the HR to continue his efforts for a negotiated solution.

The Council commended the holding today, 10 December 2001, of the first meeting of the Kosovo Parliamentary Assembly. It repeated its appeal to all the parties in the Assembly to work, in strict compliance with United Nations Security Council Resolution 1244, for a harmonious, peaceful and democratic unfolding of the provisional autonomy process for the benefit of all communities, and of stability in Kosovo and in South-East Europe as a whole.

The Council was pleased to note the Commission's presentation of its recommendation for a mandate and negotiating directives for a Stabilisation and Association Agreement (SAA) with Albania, in accordance with the conclusions of the Göteborg European Council. It asked the Council's competent bodies to examine the recommendation with a view to authorising the Commission to commence negotiations with Albania, if possible during the first half of 2002. The Council reaffirmed its support for Albania's hopes for an SAA, while emphasising that future progress would depend on the resolute pursuit of reform.

Reiterating its conclusions of 19 November 2001, the Council approved the nomination of Mr Erhard BUSEK to the post of EU Special Representative for the Stability Pact, and instructed the Presidency to take the necessary steps for the adoption of the relevant Joint Action. The Council thanked Mr Hombach for all his efforts and his personal commitment to making the Stability Pact a success.

The Council welcomed the presentation, on the occasion of the meeting of the Steering Board of the Peace Implementation Council (PIC) on 5 and 6 December 2001 in Brussels, of HR Petritsch's document on the rationalisation of the international civilian presence in Bosnia and Herzegovina. It expressed the hope that an updated version of this document could be adopted at the start of next year. The Council emphasised the importance of the speedy implementation of such rationalisation, which will give an extra boost to the effectiveness of the international community's action in that country. The possibility of the European Union taking part in the development of the international police force in Bosnia and Herzegovina will be examined.

In accordance with its conclusions of 9 April 2001, the Council reiterated the great importance of the annual review of the Stabilisation and Association Process for South-Eastern Europe and took note of the Commission's intention to submit its report to the Council in March 2002.

## **AFRICA**

The Council acknowledged a briefing note from the Presidency on the outcome of the Ministerial Troika visit to the Great Lakes Region from 20 to 24 November – with a view, in particular, to supporting the Lusaka process for the Democratic Republic of Congo and the Arusha process for Burundi – and Zimbabwe. It held an exchange of views on the subject.

With regard to the **Democratic Republic of Congo** (DRC), the President also informed the Council of its proposal to hold a meeting in Brussels in January 2002 with the unarmed political opposition and representatives of civil society in the DRC in order to support the rapprochement between the conflicting parties in that country. The President also welcomed the donor information conference to be organised by the World Bank in Brussels on 19 December 2001.

With regard to the signing of the NIP (National Indicative Programme) for the DRC, the Council noted that the Presidency intended to bring the matter to the attention of the European Council in Laeken.

With regard to the Arusha process concerning **Burundi**, the Council noted the Presidency's view that the Troika's appeal during its visit urging the armed rebels in Burundi to suspend hostilities forthwith, negotiate a cease fire and take their place at the negotiating table might soon meet with a positive response.

With regard to **Zimbabwe**, the Council noted the information supplied by the Presidency on the frank and direct exchange of views the Troika had held with President Mugabe, during which the EU delegation had expressed its concern at the deteriorating situation in Zimbabwe.

The President intends to preside in person over the talks with the Zimbabwean authorities, on the basis of Article 96 of the Cotonou Agreements, focusing on the following issues:

- respect for human rights;
- respect for the principles of the rule of law, of tolerance and of the holding of free and fair elections;
- respect for freedom of expression and the press.

**OTHER BUSINESS**– *Gender mainstreaming in EU policies*

The Presidency drew the Council's attention to this issue, of integrating a gender perspective into EU policies and, in particular, as far as the General Affairs Council was concerned, Euromed programmes which had also been raised at the Employment and Social Policy Council on 3 December and Ecofin Council on 4 December.

## **ITEMS APPROVED WITHOUT DEBATE**

The documents whose references are given are available on the Council's Internet site <http://ue.eu.int>. Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements may be obtained by following the procedure indicated above or from the Press Office.

### **ENLARGEMENT**

#### **Accession partnerships**

The Council adopted Decisions on the principles, priorities, intermediate objectives and conditions of the accession partnerships with Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia.

#### **Accession conferences – EU common positions**

The Council adopted common positions with a view to the ministerial meetings of the Accession Conferences to be held on Tuesday 11 and Wednesday 12 December 2001 with Cyprus, Malta, Hungary, Poland, Slovakia, Latvia, Estonia, Lithuania, Bulgaria, the Czech Republic and Slovenia.

### **EXTERNAL RELATIONS**

#### **Relations with the Western Balkans**

The Council adopted an amendment to Council Regulation (EC) No 2666/2000 on assistance for Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia, and Regulation (EC) No 2667/2000 on the European Agency for Reconstruction.

The aim of the latter Regulation is to extend the Agency's activities to the former Yugoslav Republic of Macedonia.  
(12650/01)

#### **Relations with Ukraine**

The Council approved

- the EU position for the 4th meeting of the Cooperation Committee with Ukraine (Kyiv, 12 December 2001);
- a report to the European Council on the implementation of the Common Strategy of the European Union on Ukraine.

## Appointment of the EU Special Representative in Afghanistan

The Council adopted a Joint Action concerning the appointment of the Special Representative of the European Union in Afghanistan.

The Special Representative's mandate is to contribute, through close liaison with and support for the Special Representative of the Secretary-General of the United Nations, Mr Brahmini, to achieving the implementation of the Union's policy in Afghanistan. In particular he must support the Union's contribution to achieving the international community's objectives in Afghanistan as set out in UN Security Council Resolution 1378 and other relevant UN Security Council Resolutions. For this purpose, he will act, under the authority of the Secretary-General/High Representative and liaising closely with the Presidency, the Member States and the Commission, in particular in the following areas:

- (a) supporting the establishment in Afghanistan of a stable and legitimate broad-based multi-ethnic Government agreed upon by the political forces associated with the UN process. In this context, he shall convey the Union's views on the political process;
- (b) establishing and maintaining close contact with the Afghan leaders inside as well as outside the country;
- (c) establishing and maintaining close contact with relevant international and regional actors, notably with the local representatives of the UN;
- (d) staying in close contact with neighbouring and other interested countries in the region so that their views on the situation in Afghanistan are taken into account in Union policy;
- (e) advising the High Representative and the Council of the progress of the Afghan factions and the transitional administration – when established – in the following areas:
  - progress towards a broad-based and multi-ethnic government fully representative of all the Afghan people and committed to peace with Afghanistan's neighbours,
  - respect for human rights of all Afghan people, regardless of gender, ethnicity or religion,
  - respect of democratic principles, the rule of law, the rights of persons belonging to minorities, the rights of women and children and fundamental freedoms and the principles of international law,
  - fostering participation by women in public administration and society,

- respect for Afghanistan's international obligations, including cooperation in international efforts to combat terrorism and illicit drug trafficking,
  - facilitation of humanitarian assistance and the orderly return of refugees and internally displaced persons, and
  - support for the Afghanistan Support Group and the G21.
- (f) In consultation with representatives of Member States and the Commission, contributing to ensure that the European Union's political approach is reflected in its action for the reconstruction of Afghanistan;
- (g) advising on the participation and the positions of the Union in international conferences on Afghanistan

### **Implications of the terrorist threat for EU policy – Conclusions**

Non-proliferation, disarmament and arms control remain an indispensable element of cooperative security between States. They can also make an essential contribution in the global fight against terrorism by reducing the risk of non-state actors gaining access to weapons of mass destruction, radioactive materials and means of delivery as well as by preventing the spread of conventional weapons.

The elimination, reduction or control of certain weapons, their means of delivery and relevant materials according to the relevant bilateral and multilateral instruments as well as national initiatives enforcing this goal, together with their effective national implementation significantly reduces the risk of proliferation to non-state actors. Furthermore, multilateral instruments and regimes for disarmament, arms control and non-proliferation as well as national initiatives enforcing this goal foster confidence between States and enhance security. They thereby contribute to the building and strengthening of the international coalition against terrorism.

In conformity with the Plan of Action approved by the European Council to combat terrorism and the Union's determination to contribute to the global coalition against terrorism, the Council today decides to launch a targeted Initiative to respond effectively to the international threat of terrorism, which focuses on the following elements:

- **Multilateral instruments:** In consistence with their ongoing review process, the Council sees an urgent need to strengthen relevant multilateral instruments in the field of non-proliferation, disarmament and arms control with a view to promoting their universalisation and ensuring their effective implementation. The Council shall continue to actively support the international negotiation process to finalise the draft international code of conduct against ballistic missile proliferation.

- Export controls: The Council considers that the EU should focus on concrete measures to strengthen export controls to prevent terrorist groups and States which harbour them from acquiring materials relative to weapons of mass destruction. The Council notes that the full implementation by the Member States of the European Union Code of Conduct on export of military equipment will continue to minimise the risk of any diversion of weapons of European origin to terrorist organisations. The Council sees merit in targeted EU assistance to third countries to help strengthen export control and enforcement.
- International cooperation: The Council emphasises the importance of protection and assistance against the use or threat of chemical and biological weapons as well as measures to maintain physical control of nuclear material world-wide. The Council sees merit in sustaining and developing – where needed – assistance to States to eliminate or reduce as foreseen in the relevant treaties existing stocks of weapons of mass destruction, thereby reducing the risk of proliferation to non-state actors.
- Political dialogue: The Council decides to enhance the political dialogue with third countries in the field of non-proliferation, arms control and disarmament. In this context, the Union will continue to strengthen its partnership with the relevant countries and shall further develop an active dialogue with other countries to promote their support to non-proliferation, disarmament and arms control policies as a means of combating terrorism.

The Council notes that further work continues towards the adoption of a list of concrete measures in the four abovementioned fields.

### **Renewal of the mandate of the Special Representative for the Great Lakes Region**

The Council adopted a Joint Action renewing the mandate of the Special Representative for the African Great Lakes Region, Mr Aldo Ajello, until 31 December 2002.

It should be noted that on 25 March 1996 the Council appointed Mr Aldo Ajello as Special Envoy of the EU for the African Great Lakes Region in order to help the countries in the region to resolve the crisis affecting them. His mandate has been extended annually since then.

### **Africa – human rights**

The Council approved a report produced in connection with the Common Position on the human rights, democratic principles, the rule of law and good governance in Africa.

This Presidency report to be published is the seventh of its kind and covers the period from 26 May to 26 November 2001.

(14541/01)

## Relations with the ACP countries

On behalf of the Community the Council approved two draft Decisions of the ACP-EC Committee of Ambassadors:

- adopting the budget of the Technical Centre for Agricultural and Rural Cooperation (2002)
- adopting the budget of the Centre for the Development of Enterprise (2002).'

## Central Asia – Conclusions

The Council reaffirmed the long-term commitment of the EU to Central Asia. Following on the Council's conclusions of 17 October and 19 November 2001, suggestions from High Representative Javier Solana, and the recent EU Troika visit at ministerial level to the region, the Council discussed how to develop more actively relations between the EU and the countries of Central Asia.

The Council welcomed cooperation from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan in the fight against terrorism, including measures to cut off its financing through drug trafficking. The Council also welcomed assistance provided so far in facilitating the transit of humanitarian aid to Afghanistan. The Council called on all countries to extend their continued and full cooperation in order to ensure an efficient delivery of emergency aid into Afghanistan.

The Council reaffirmed its belief that lasting stability and security in the countries of Central Asia can only be achieved through continuing reform. The aim of this is to consolidate democracy, to facilitate the transition to open, market economies, to strengthen civil society, to implement the rule of law, and to ensure respect for human rights and fundamental freedoms. The Council attaches great importance to tackling the root causes of terrorism and conflict in the region by supporting efforts to improve governance and to reduce poverty.

The Council welcomed the stated intention of the Commission to double the current level of funding to the countries of Central Asia.

The Council underlined its attachment to the above priorities, and agreed to:

- pursue enhanced political dialogue with all countries in Central Asia, including through Partnership and Cooperation Agreements (PCAs), and through Member States' local presence.
- invite the Commission to resume Tacis assistance to Tajikistan and to open discussions on upgrading contractual relations with Tajikistan.
- target assistance to the above priority areas including poverty reduction, social and economic development, good governance, environment and water management, taking account of local circumstances.

- combat drug trafficking, making full use of the Action Plan on Drugs between the EU and Central Asian Republics.
- consider action on border control and border management, including arms smuggling and non-proliferation, which have become highly relevant in view of the conflict in Afghanistan.
- work in close cooperation with relevant international organisations (UN, OSCE), international financial institutions (IMF, World Bank, EBRD, ADB) and other partners.

The Council underlined the importance of developing cooperation between the five states of Central Asia on key issues of common concern. It welcomed the OSCE conference to be held in Bishkek on 13-14 December 2001, and encouraged active participation there by all countries in the region.

### **Cuba – Conclusions**

The Council took note of the tenth evaluation of the EU Common Position on Cuba and acknowledged the efforts made in recent months to open a constructive and frank dialogue on all issues of common interest, in keeping with its conclusions on the ninth evaluation of the Common Position last June.

The Council reiterated that the objectives of the European Union towards Cuba remain the encouragement of a process of transition to pluralist democracy and respect for human rights and fundamental freedoms, a lasting economic recovery and a rise in living standards for the population.

Following a detailed examination and exchanges of information – notably during the recent political dialogue between the EU Troika and Cuba – the Council observes that the situation in that country is still seriously wanting as regards the recognition and application of civil and political freedoms and the refusal of the Cuban authorities to contemplate reforms leading to a political system based on those values. However, it notes that there are a few signs of movement: greater religious freedom, the fact that the death penalty has not been carried out for two years, a marked decrease in the number of political prisoners and an increase in the number of United Nations human rights instruments ratified.

The Council also welcomes the decision taken by the Cuban Parliament at its sitting on 4 October to approve Cuba's accession to all the UN Conventions on terrorism.

The Council therefore considers that the Common Position is still valid and remains the basis of the European Union's policy towards Cuba. The Council considers it essential to continue the dialogue in order to produce tangible results, particularly as regards future cooperation based on respect for democratic principles, human rights, fundamental freedoms and the rule of law. In that context, the Council would point out that it expects to see meaningful indications from the Cuban Government that it is moving to achieve the Common Position's objectives.

The Council points out that it is extremely important to the EU that Cuba should abide by the principles of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. It hopes that Cuba will be able to sign these two Covenants at the earliest opportunity.

In connection with Cuba's current economic difficulties, the Council underlines the importance of the increased economic links, trade and tourism between the EU countries and Cuba in helping to improve the situation in the country. Accordingly, the Council urges Cuba to extend and develop the economic and legal reforms it has begun. In that connection, the Council considers that the EU must step up cooperation in Cuba, in particular through civilian and non-governmental organisations.

### **Cyprus/Malta – Fisheries**

The Council adopted Decisions relating to the conclusion of two Agreements between the EC and Malta and Cyprus respectively laying down provisions applicable to certain fish and fishery products.

These Agreements, the purpose of which is the gradual introduction of free trade in the products concerned between the EC and Malta/Cyprus, were concluded in the form of Additional Protocols to the EC-Malta and EC-Cyprus Association Agreements.  
(14330/01 and 14331/01)

### **Cyprus/Malta/Turkey – Association Committees**

The Council adopted Decisions allowing the EC-Malta, EC-Cyprus and EC-Turkey Association Councils to amend their Rules of Procedure. These Decisions are designed to align the provisions concerning the Presidency and Secretariat of these Committees on the established practice for the other candidate countries.  
(13278/01, 13277/01 and 13279/01)

### **EU/Canada Summit**

The Council noted the progress in the preparations for the EU/Canada Summit, due to take place in Ottawa, Canada, on 18 December 2001.

The following items in particular should be tackled at this Summit: the campaign against terrorism; Central Asia; the Middle East; non-proliferation, arms control and disarmament; transatlantic relations in the light of the events of 11 September; trade and EU-Canada people-to-people links.

**ECOFIN****Macro-financial assistance to Bosnia and Herzegovina**

The Council adopted an amendment to Decision 1999/325/EC providing macro-financial assistance to Bosnia and Herzegovina.

The amendment raises the grant component of this assistance to a maximum of EUR 40 million.  
(14166/01)

**Macro-financial assistance to the Federal Republic of Yugoslavia**

The Council adopted an amendment to Decision 2001/549/EC of 16 July 2001 providing macro-financial assistance to the Federal Republic of Yugoslavia.

The amendment raises the grant component of this assistance to a maximum of EUR 120 million.  
(14169/01)

**Macro-financial assistance to the former Yugoslav Republic of Macedonia**

The Council adopted an amendment to Council Decision 2001/733/EC providing supplementary macro-financial assistance to the former Yugoslav Republic of Macedonia.

The amendment raises the grant component of this assistance to a maximum of EUR 48 million.  
(14167/01)

**JUSTICE AND HOME AFFAIRS****Action plan in the field of Justice and Home Affairs**

The Council adopted an EU Action Plan in the field of Justice and Home Affairs.

The Action Plan sets out the challenges and strategic aims, framework and areas for cooperation and provides for specific actions in the areas of border management and of visas and organised crime.

## **Epidemiological indicators**

The Council adopted a Resolution on the implementation of the five key epidemiological indicators on drugs, developed by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA).

The Council agreed the following:

"Member States, in close cooperation with the EMCDDA, are encouraged to ensure the availability of information on the five key epidemiological indicators and to identify and address possible problems in the production, collection and dissemination of this information;

The Council urges Member States to give priority to the production, collection and dissemination of information on the five key indicators in a comparable form, to coordinate these activities at national and regional levels, making use, in particular, of national focal points of Reitox network established by Council Regulation (EEC) No 302/93 of 8 February 1993, and to make the necessary resources available;

Member States are encouraged to make full use of the abovementioned national focal points and to ensure that the national focal points have the capacity to provide the EMCDDA with information on the five key indicators according to the EMCDDA guidelines and to receive such information;

The Council invites the Member States and the Commission, in close cooperation with the EMCDDA, to examine the best ways and means, in particular of a financial nature, to support the implementation of the five key epidemiological indicators in the framework of the Community information system for public health and in accordance with the EMCDDA guidelines, and to take the appropriate initiatives and steps for this purpose."

## **INSTITUTIONAL MATTERS**

### **European Parliamentary elections**

The Council took note, confirming the Presidency's conclusion, that the elections for the European Parliament in 2004 would be held on the dates set under the 1976 Act, i.e. from 10 to 13 June 2004.

**TRANSPARENCY****Information and communication activities of the EU – Conclusions**

The Council **welcomes** the Commission communication on a new framework for cooperation on activities concerning the Information and Communication Policy of the European Union (COM(2001) 354 final). It agrees to participate at the appropriate level in this new framework for cooperation, which represents a further stage in the process of bringing the European Union closer to its citizens.

The Council reiterates its support for the idea, formulated by the Edinburgh European Council on 12 December 1992 in application of the Birmingham Declaration, of establishing coordinated strategies in the information area, with the twin objectives of optimising existing resources at both Community and Member State level and of respecting the roles of the players involved in this type of activity.

It also recalls that at the Helsinki European Council on 11 December 1999 "the European Parliament, the Council and the Commission were urged to take steps to pool as far as possible efforts to provide coordinated general information about the Union".

The Council wishes to contribute in a pragmatic and flexible manner to the definition at political level of those strategies, with the recognition that it will be for each Member State to determine the extent of its involvement in the concrete implementation of the activities in question.

The Council should be represented in the new interinstitutional cooperation framework at political level by the Presidency-in-Office, accompanied by representatives of the Member State which will hold the following Presidency and assisted by the General Secretariat. It will be for the Working Party on Information, extended to include senior officials from national information departments or, where appropriate, in the presence of experts, to define the Council's positions in this area and to evaluate the results.

The Council takes note of the Commission's intention to submit a new communication on the content of information and communication policy. The Council will decide on its priorities at the appropriate time, in the light of the powers conferred upon it by the Treaties.

With respect to the organisation at operational level of cooperation between the Community institutions on information and communication, the Council favours the coordinated use of existing resources, with the emphasis on rationalisation of those resources and a desire to improve services. Audiovisual means and the Internet should receive priority consideration in view of their impact and potential. Other areas of activity such as publications, libraries, information visits, public events and media monitoring should also be the subject of synergies between the institutions.

Each Community institution must have sufficient resources to enable it to inform the public of its own activities. In the case of information on the achievements of and challenges facing the European Union as a whole, the Council considers that the initiatives in question must be defined precisely, particularly from a budgetary standpoint, and must be implemented within the new framework for interinstitutional cooperation.

The Council asks the Commission to submit proposals during the first half of 2002 with a view to continuing, in conjunction with interested Member States, to provide information in audiovisual format intended primarily for third countries.

The Council points out that it is for the Member States to provide information on the European Union. These activities will be more effective if they are carried out in coordination with those of the Community institutions, which should produce comprehensive and objective basic information.

The Council invites the Member States to participate in the new framework for cooperation on the information and communication activities of the European Union, in accordance with their own choices and on the basis of guidelines to be laid down in the appropriate Council bodies, in agreement with the other Community institutions.

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