

12294/03 (Presse 252)

2527th Council meeting

- EXTERNAL RELATIONS -*

Brussels, 29 September 2003

President : **Mr Franco FRATTINI**
Minister for Foreign Affairs of the Italian
Republic

* The 2526th meeting on General Affairs is the subject of a separate press release
(12293/03 Presse 251)

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- *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.*
- *The documents whose references are given in the text 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 are available on the above mentioned Council Internet site or may be obtained from the Press Office.*

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PARTICIPANTS

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

Belgium :

Mr Louis MICHEL
Mr Jacques SIMONET

Minister for Foreign Affairs
State Secretary for European Affairs

Denmark :

Mr Friis Arne PETERSEN

State Secretary for Foreign Affairs

Germany :

Mr Joschka FISCHER

Federal Minister for Foreign Affairs and Deputy Federal
Chancellor

Mr Hans Martin BURY

Minister of State, Ministry for Foreign Affairs

Greece :

Mr Anastasios GIANNITSIS

Deputy Minister for Foreign Affairs

Spain :

Mr Ramón DE MIGUEL Y EGEA

State Secretary for European Affairs

France :

Mr Dominique de VILLEPIN
Ms Noëlle LENOIR

Minister for Foreign Affairs
Minister attached to the Minister for Foreign Affairs, with
responsibility for Foreign Affairs

Ireland :

Mr Brian COWEN

Minister for Foreign Affairs

Italy :

Mr Franco FRATTINI
Mr Roberto ANTONIONE

Minister for Foreign Affairs
State Secretary for Foreign Affairs

Luxembourg :

Ms Lydie POLFER

Deputy Prime Minister, Minister for Foreign Affairs and Foreign
Trade

Netherlands :

Mr J G de HOOP SCHEFFER
Mr Atzo NICOLAÏ

Minister for Foreign Affairs
State Secretary for European Affairs

Austria :

Ms Benita FERRERO-WALDNER

Federal Minister for Foreign Affairs

Portugal :

Mr António MARTINS da CRUZ

Minister for Foreign Affairs

Finland :

Mr Erkki TUOMIOJA
Ms Paula LEHTOMÄKI

Minister for Foreign Affairs
Minister for Foreign Trade and Development

Sweden :

Mr Jan O. KARLSSON

Minister for Foreign Affairs

United Kingdom :

Mr Denis MacSHANE

Minister of State for Europe

* * *

Commission :

Mr Chris PATTEN
Mr Pascal LAMY

Member
Member

* * *

General Secretariat of the Council :

Mr Javier SOLANA

Secretary-General/High Representative for the CFSP

The Governments of the Acceding States were represented as follows:

Czech Republic :

Mr Jan KOHOUT

Deputy Minister for Foreign Affairs and State Secretary for European Affairs

Estonia :

Ms Kriistina OJULAND

Minister for Foreign Affairs

Cyprus :

Mr George IACOVOU

Minister for Foreign Affairs

Latvia :

Ms Sandra KALNIETE

Minister for Foreign Affairs

Lithuania :

Mr Rytis MARTIKONIS

Under Secretary of the Ministry of Foreign Affairs

Hungary :

Mr László KOVÁCS

Minister for Foreign Affairs

Malta:

Mr Joe BORG

Minister for Foreign Affairs

Poland :

Mr Włodzimierz CIMOSZEWICZ

Minister for Foreign Affairs

Slovakia :

Mr Eduard KUKAN

Minister for Foreign Affairs

Slovenia :

Mr Dimitrij RUPEL

Minister for Foreign Affairs

ITEMS DEBATED

NOTE: The Acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia align themselves on the conclusions on Iraq, the Middle East, Iran, the European Security and Defence Policy, the Western Balkans, non-proliferation of weapons of mass destruction and Sierra Leone.

IRAQ - Council Conclusions

The Council adopted the following Conclusions:

- "1. The Council strongly condemned the terrorist attacks which caused the deaths of many innocent victims and represented unsuccessful attempts to threaten the efforts of the International Community in ensuring peace security and stability in Iraq.
2. The Council wishes to pay tribute to the courage and the vision of Sergio Vieira de Mello and his team and expressed its confidence that the work he had bravely started, for the sake of the Iraqi people and their future, will be carried on. Active co-operation between the UN and the Iraqi Governing Council must continue. The Council underlined the importance of full respect for the safety and security of humanitarian personnel as well as United Nations and its associated personnel, as called for in Security Council Resolution 1502.
3. The Council recalled that the UN should play a vital role in Iraq and expressed its support to the UN Secretary General's efforts in this regard. It welcomed the appointment of Ramiro da Silva as acting UNSG Special Representative and expressed its readiness to fully support his actions.
4. The EU underlined the importance of the restoration of Iraqi sovereignty and the establishment of a fully representative Iraqi Government through democratic elections. The Council acknowledged the necessity to reach agreement on a realistic schedule for handing over political responsibility to the Iraqi people.
5. The Council recalled its commitment to help achieve the goal of creating a stable and prosperous Iraq with a representative government and thriving civil society. It noted with satisfaction some positive developments taking place on the political side of reconstruction such as the appointment by the Iraqi Governing Council of an interim cabinet of ministers, the formation of a Preparatory Constitutional Committee to consult on an Iraqi constitution and to pave the way for democratic elections as soon as feasible. The Council also welcomed the recent Arab League invitation to the Governing Council to fill Iraq's seat until succeeded by an elected representative. The Council considered these developments as significant steps towards the full restoration of Iraqi sovereignty.

6. The Council attaches particular importance to fostering a national Iraqi dialogue in order to overcome political divisions inside the country and forge unity for building a new Iraq. It will employ its efforts to attain this common goal of the international community.
7. Considering that security remains a major priority in Iraq and being aware that stabilisation cannot be separated from political reconstruction and economic recovery, the Council stressed the importance of the discussions currently under way at the UNSC on a new resolution on Iraq.
8. The Council reiterated EU's readiness to play an important role in the multilateral effort aimed at the reconstruction of Iraq. It took note with appreciation of the active role being played by the Commission in preparing the Donors Conference on Iraqi reconstruction scheduled to take place in Madrid thanks to the generous hospitality of the Spanish Government. The Madrid Conference is the opportunity for a united international effort to redress Saddam's legacy and to help the Governing Council and Ministers restore services, security and build Iraqi faith in a process towards elections. The Council reiterated the need for an adequate multilateral umbrella for reconstruction, to be achieved through the creation of a transparent and operational framework that is independent of, though co-ordinated with the Coalition Provisional Authority.
9. The Council invited the Secretary General/ High Representative to make proposals on an enhanced EU role in Iraq and looks forward to receiving the Commission's Communication, which will propose an EU position on reconstruction in Iraq for the Madrid Ministerial Conference on 23-24 October."

MIDDLE EAST - Council Conclusions

The Council adopted the following Conclusions:

- "1. The European Union recalls the public statement by the Quartet Principals after their meeting held on 26 September 2003 in New York. In particular, the European Union stresses the joint reaffirmation of the key role of the Quartet and the decision to meet on a regular basis (and by the end of the year at Principals' level) to promote and assess the implementation of the road map by both parties.
2. The European Union urges both parties to immediately and simultaneously address the core concerns of the other. The European Union calls on Palestinians and Israelis to fulfil their obligations and responsibilities. The Council stresses the need to re-establish a cease fire.
3. The European Union is deeply concerned about the stalemate of the Peace Process and the resurgence of violence between Israelis and Palestinians. Recalling Presidency statements of August 20 and September 11, 2003, the EU renews its strongest condemnation of terrorist attacks against Israelis. Such actions are morally indefensible and do not serve the interests of the Palestinian people. The EU reaffirms its firm commitment to the fight against terror and recalls its decision to include Hamas in its list of terrorist organisations.
4. While recognising Israel's legitimate right to self-defence in the face of terrorist attacks against its citizens, the European Union urges the Government of Israel to exert maximum effort to avoid civilian casualties, to put a halt to the practice of extra-judicial killings which are contrary to International Law, to reverse the settlement policy and activity, to dismantle settlements built after March 2001 and to freeze the construction of the separation fence, which results in confiscation of Palestinian land, restricts movement of people and goods and hinders a just political solution to the conflict. The EU urges the Israeli Government to refrain from executing its decision in principle to remove the elected President of the Palestinian Authority, which would be counter productive to the efforts at reaching a peaceful solution to the conflict.
5. The European Union welcomes the designation of Mr Ahmed Qorei as new Prime Minister and stands ready to assist his new cabinet. The European Union emphasises the need for the Palestinian Authority to take immediate, decisive steps to consolidate all Palestinian security services under the clear control of duly empowered Prime Minister and Interior Minister and to confront individuals and groups conducting and planning violent attacks. The EU also recalls that it will remain in contact with all Palestinian Authority interlocutors.
6. The EU calls upon the Palestinian Authority to continue their reform programme and, as the largest donor to the Palestinian territories, supports the Quartet's call on the International and Regional Community to assist the Palestinian Authority in the implementation of reforms, institution-building and socio-economic development. The EU underlines the importance of humanitarian relief to the Palestinian people as well as of longer-term measures to revive the Palestinian economy.

7. The European Union reaffirms once again that there is no alternative to a swift and full implementation, in good faith by the two sides, of the road map. The Quartet meeting on September 26 in New York gave a clear sign of commitment of the International Community to the road map and to the common goal of two states living side by side in peace and security. The EU will continue to work closely and consistently with the US and with other Quartet partners on all issues linked to the successful implementation of the roadmap by the parties, also with a view to establishing an efficient third party monitoring mechanism to which the EU is ready to contribute in a substantial way.
8. The EU recalls that a comprehensive peace in the Middle East will also have to include Syria and Lebanon."

IRAN - Council Conclusions

The Council adopted the following Conclusions:

- "1. The Council reviewed relations with Iran against the background of negotiations on trade and cooperation together with the four areas of concern and in the light of recent developments. While emphasizing its desire to preserve political and economic relations with Iran, the Council expressed its concern at the lack of development in the four areas in question, namely human rights, non-proliferation, the fight against terrorism and the Middle East Peace Process. It reiterated that strengthened dialogue and cooperation and progress in the four areas of concern are interdependent, essential and mutually reinforcing elements of EU-Iran relations. More intense economic relations can be achieved only if progress is reached in the four areas of concern.
2. The Council took note of the 26th of August report by the IAEA Director General El Baradei and the Resolution adopted by the IAEA Board of Governors on the 12th of September.
3. The Iranian nuclear programme remains a matter of grave concern for EU. The Council fully supports the Resolution by the IAEA Board of Governors. It calls on Iran to immediately comply with all requirements of the Resolution and fully cooperate with the IAEA to enable the Board to draw definitive conclusions at its next meeting in November.
4. The Council welcomes Iran's stated willingness to cooperate with the IAEA. It hopes that Iran will sign, ratify and implement the Additional Protocol without delay as a first and essential step to restore international trust in the peaceful nature of its nuclear programme. The Council urges Iran to act - in order to build confidence - in accordance with the provisions of the Additional Protocol with immediate effect and to refrain from fuel cycle activities which can also be used to produce fissile material for nuclear weapons.
5. The Council will revert to this issue and review future steps in the light of the next report by Director General El Baradei to the IAEA Board of Governors on Iran's implementation of the 12 September IAEA Governing Board Resolution."

FOLLOW-UP TO THE FIFTH WTO MINISTERIAL CONFERENCE

The Council took note of Commissioner Pascal Lamy's assessment of the breakdown in negotiations at the 5th Ministerial Conference of the World Trade Organisation, which took place on 10–14 September in Cancún, Mexico. The Council shared the Commission's strong regret at the outcome and held a preliminary exchange of views on the next steps to be taken.

The Cancún conference was intended to move the negotiating agenda launched by the WTO at its 4th Ministerial Conference in November 2001 at Doha into its decisive phase, with a view to reaching an agreement by 1 January 2005. It ended however with a short statement indicating that participants had worked hard to make progress and that further work would be needed on the outstanding issues. The Conference instructed officials to continue work at WTO headquarters in Geneva with a view to convening a meeting of the WTO General Council at senior officials' level before 15 December.

EUROPEAN SECURITY AND DEFENSE POLICY**– EUROPEAN UNION POLICE MISSION IN THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA (EUPOL- "PROXIMA") - Council Conclusions**

The Council adopted the following Conclusions:

"In the framework of an overall enhanced EU role in policing in the former Yugoslav Republic of Macedonia, the Council today decided to establish a Police Mission (EUPOL) in the country, entitled 'Proxima'. This decision follows an invitation from Prime Minister Crvenkovski. The mission will support the development of an efficient and professional police service and promote European standards of policing, thus complementing the work of the OSCE in this field. EU police personnel will start deploying in December 2003. Under the EU Special Representative in the former Yugoslav Republic of Macedonia and in partnership with the government authorities, EU police experts will monitor, mentor, and advise the country's police, thus helping to fight organised crime more effectively and consolidate public confidence in policing. Experts will be drawn from a number of different policing fields in order to offer a wide range of police expertise.

'Proxima' is part of the EU's commitment to help normalise the situation in the former Yugoslav Republic of Macedonia following the Ohrid Framework Agreement of 2001 and is in line with the Stabilisation and Association Process for the region."

– *OPERATION ARTEMIS - Council Conclusions*

The Council adopted the following Conclusions:

"The Council welcomes the successful outcome of operation Artemis, which has achieved the objectives assigned it by United Nations Security Council Resolution 1484. The situation in Bunia has been stabilised and the United Nations has been able to deploy a reinforced MONUC contingent there. The operation has also created an environment in which the peace process and the establishment of transitional institutions can pass off smoothly in Kinshasa.

The Council would emphasise that the European Union has thus been able to make a specific contribution to the United Nations' aims in the region, by responding swiftly and effectively to the call issued by the United Nations Secretary-General.

The Council thanks the framework nation and the 17 countries which contributed to the multinational force. It expresses its gratitude to the military and civilian personnel who helped to make a success of the operation.

The Council highlights the importance of learning from this operation, together with all parties concerned, in particular the United Nations. It asks the Political and Security Committee to report back at an early opportunity on the lessons to be learned from the operation.

The Council would point out that, following the end of the operation, the European Union remains involved in to the Democratic Republic of the Congo and in the Great Lakes region as a whole. It will continue to lend its active support to the peace process and reconstruction in the country, with the implementation of the conclusions adopted on 21 July 2003."

– ***DECLARATION BY THE EU AND THE UN ON COOPERATION IN CRISIS
MANAGEMENT - Council Conclusions***

The Council adopted the following Conclusions:

"The Council welcomes the signing in New York on 24 September 2003 of a joint declaration between the European Union and the United Nations on cooperation between the two in crisis management.

Drawing on experience of the policing operation in Bosnia and of operation Artemis in the Democratic Republic of the Congo, that declaration provides a framework for the development of practical initiatives to facilitate interchange between the two organisations through the establishment of information and consultation mechanisms.

The Council reaffirms the European Union's commitment to help achieve United Nations objectives in crisis management. The aim of the joint declaration is to increase the effectiveness of support accordingly provided by the European Union under the ESDP.

The Council asks the Secretary-General/High Representative to continue talks with the United Nations in order to ensure that the cooperation mechanisms envisaged in the declaration of 24 September 2003 are swiftly put into practice."

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION - Council Conclusions

The Council adopted the following Conclusions:

"In the framework of the follow-up to the Thessaloniki Declaration and the Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction, the Council took note of the oral presentation by the Presidency on the implementation of the Action Plan against the Proliferation of WMD, welcomed the progress already made, and encouraged the Coreper, the PSC and the relevant working groups to pursue the work on all the measures of the Action Plan, as well as on the coherent EU strategy to address the threat of proliferation asked for by the European Council of Thessaloniki."

WESTERN BALKANS - Council Conclusions

"SERBIA AND MONTENEGRO/KOSOVO

The Council fully supported the Special Representative of the UN Secretary General Harri Holkeri's efforts to implement the policy of "standards before status" on the basis of UN Security Council Resolution 1244.

The Council reiterated the great importance of an early start of the direct dialogue between Belgrade and Pristina on practical issues of mutual concern and welcomed the intention of the UN SRSB Harri Holkeri to launch this process in mid October in Vienna.

The Council called upon all the parties involved to co-operate in this regard, acting upon the commitment made during the Thessaloniki Summit. The EU will continue to support and facilitate this process, together with its international partners.

SERBIA AND MONTENEGRO

The Council reiterated the importance of a rapid and full implementation of the recently adopted internal market and trade action plan and of addressing the other issues identified by the Commission with the aim of contributing to a positive conclusion of the Feasibility Study on the opening of negotiations for a Stabilisation and Association Agreement.

ALBANIA

The Council emphasised that the orderly conduct of fair local elections in October is part of the process to bring Albania closer to the EU.

CO-OPERATION WITH THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (ICTY)

The Council supported the unambiguous message of UN Security Council Resolution 1503 on 28 August 2003 to the countries and parties in the region on the need to improve and intensify co-operation with the ICTY – in particular efforts to bring Karadzic, Mladic and Gotovina to the ICTY. It looked forward to ICTY's Annual report to be presented in early October 2003 to the UN Security Council. With reference to UNSCR 1503's endorsement of measures against ICTY indictees' support networks, the Council reiterated its intention to keep its own measures under review.

REGIONAL CO-OPERATION

The Council took note with satisfaction of the apologies, exchanged by the Presidents of Serbia and Montenegro and of Croatia in Belgrade on 11 September 2003, for past wrongs committed by any citizen of one country against any citizen of the other. This is an important step towards lasting reconciliation between the countries and a good example for the region.

FOLLOW-UP TO THE THESSALONIKI SUMMIT

The Council welcomed the adoption of joint declarations on the establishment of political dialogue between the EU and Serbia and Montenegro as well as Bosnia and Herzegovina, as foreseen in the Thessaloniki Agenda."

SIERRA LEONE - FUNDING OF SPECIAL COURT - Council Conclusions

The Council adopted the following Conclusions:

"The Council expressed concern at the funding crisis at the Special Court for Sierra Leone, which is threatening the continued operation of the Court beyond the end of 2003. It noted the unacceptable consequences which would result from the Court's failure for the development of international justice, for the people of Sierra Leone and for the fight against impunity in the entire sub-region.

The Council welcomed Member States' commitments to making further voluntary contributions to the funding of the Special Court and tasked the Committee of Permanent Representatives to pursue this matter further and to lay the groundwork for a broader Council discussion on the financing of UN tribunals."

OTHER BUSINESS

– DEATH PENALTY

Over lunch, Ministers discussed possible initiatives in the framework of the United Nations concerning the death penalty.

– FIGHT AGAINST TERRORISM

Over lunch, Ministers touched upon the question of airport security, on the basis of a presentation by the Presidency.

– ***ETHIOPIA-ERITREA***

At the request of the Netherlands delegation, the Council had a brief exchange of views on the border conflict between Ethiopia and Eritrea. It requested the competent bodies to follow up speedily on this issue and submit recommendations on possible enhanced EU engagement, taking into account the reply of the UN - which is currently being prepared in New York - to the letter of the Ethiopian Prime Minister concerning the decisions of the Boundary Commission.

– ***GUINEA BISSAU***

At the request of the Portuguese delegation, the Council had a brief exchange of views on the situation in Guinea-Bissau following the coup occurred on 14 September.

IN THE MARGINS OF THE COUNCIL

MEETING BETWEEN THE EU AND THE OSCE AT MINISTERIAL TROIKA LEVEL

The EU Troika (Under-Secretary of State Roberto Antonione of Italy, High Representative Javier Solana, Foreign Minister Brian Cowen of Ireland, and Commissioner Chris Patten) met with the OSCE Troika (Chairman-in-Office, Foreign Minister Jaap de Hoop Scheffer of the Netherlands, incoming CiO Foreign Minister Solomon Passy of Bulgaria, previous CiO Foreign Minister Antonio Martins Da Cruz of Portugal and the OSCE Secretary-General Ambassador Jan Kubis) on 29 September for the regular meeting between the EU and the Organisation for Security and Co-operation in Europe that takes place once each EU Presidency at Ministerial level.

The EU and the OSCE discussed issues of shared interest: Moldova, Belarus, former Yugoslav Republic of Macedonia (enhanced EU role in policing) and the OSCE Ministerial Meeting to be held in Maastricht on 1 and 2 December. They stressed the importance of close co-operation to ensure complementarity and added value in mutual efforts.

The EU expressed its full support for the efforts of the OSCE as regards Moldova and Belarus. It informed the OSCE on the forthcoming EU police mission in FYROM (EUPOL "PROXIMA") and the OSCE informed the EU on preparations for the forthcoming OSCE Ministerial meeting.

ASSOCIATION COUNCIL WITH TUNISIA

The EU–Tunisia Association Council held its 4th meeting on 30 September, under the presidency of Mr Habib Ben Yahia, Minister of Foreign Affairs of the Republic of Tunisia. A political dialogue was held over dinner on 29 September.

CO–OPERATION COUNCILS WITH ARMENIA, AZERBAIJAN AND GEORGIA

The EU–Armenia, EU–Azarbaijan and EU–Georgia Co–operation Councils each held their 5th meeting on 30 September, under the presidency of Mr Roberto Antonione, Under-Secretary of State for Foreign Affairs of Italy. The EU Special Representative for the South Caucasus, Ambassador Heikki Talvitie, took part in the meetings for the first time since his appointment on 7 July.

(Press release no. 13071/03)