



**COUNCIL OF
THE EUROPEAN UNION**



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PRESS RELEASE

2914th Council meeting

General Affairs and External Relations

General Affairs

Brussels, 8 December 2008

President **Bernard KOUCHNER**
Minister for Foreign and European Affairs of France

* The session on External Relations is the subject of a separate press release (16863/08).

P R E S S

Main results of the Council

*The Council gave the go-ahead to the launch of the "EU NAVFOR Somalia" military operation for the deterrence, prevention and repression of acts of piracy and armed robbery **off the Somali coast**.*

*The Council also adjusted the EU's restrictive measures in relation to **Zimbabwe**, adding 11 names to the list of persons subject to a visa ban and the freezing of their assets within the EU owing to the acts of violence and the continuing stalemate as regards implementation of the political agreement reached in September.*

*It also defined, in the form of a common position, common rules governing the control of **exports of military technology and equipment**, replacing a code of conduct. Under this common position, each Member State will be required to assess the export licence applications made to it, on a case-by-case basis, against specific criteria.*

Lastly, the Council adopted a series of conclusions on:

- an integrated maritime policy;*
- inclusion of the Roma;*
- a global approach to migration;*
- the 60th anniversary of the Universal Declaration of Human Rights;*
- combating the proliferation of weapons of mass destruction.*

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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.
 - 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.

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PARTICIPANTS

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

Belgium:

Mr Karel DE GUCHT Minister for Foreign Affairs

Bulgaria:

Mr Ivailo 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 Per Stig MØLLER Minister for Foreign Affairs

Germany:

Mr Günter GLOSER Minister of State ("Staatsminister"), Ministry of Foreign Affairs

Estonia:

Mr Urmas PAET Minister for Foreign Affairs

Ireland:

Mr Micheál MARTIN Minister for Foreign Affairs

Greece:

Ms Theodora BAKOYANNI Minister for Foreign Affairs

Mr Ioannis VALINAKIS State Secretary for Foreign Affairs

Spain:

Mr Miguel Ángel MORATINOS CUYAUBÉ Minister for Foreign Affairs and Cooperation

Mr Diego LÓPEZ GARRIDO State Secretary for the European Union

France:

Mr Bernard KOUCHNER Minister for Foreign and European Affairs

Mr Jean-Pierre JOUYET Minister of State with responsibility for European Affairs

Italy:

Mr Franco FRATTINI Minister for Foreign Affairs

Mr Adolfo URSO State Secretary for Economic Development

Cyprus:

Mr Marcos KYPRIANOU Minister for Foreign Affairs

Latvia:

Mr Māris RIEKSTIŅŠ Minister for Foreign Affairs

Lithuania:

Mr Žygimantas PAVILIONIS Under-Secretary, Ministry of 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 Maxime VERHAGEN Minister for Foreign Affairs

Mr Frans TIMMERMANS Minister for European Affairs

Austria:

Mr Michael SPINDELEGGER Federal Minister for European and International Affairs

Poland:

Mr Radosław SIKORSKI

Minister for Foreign Affairs

Portugal:

Mr Luís AMADO

Ms Teresa RIBEIRO

Ministro de Estado, Minister for Foreign Affairs
State Secretary for European Affairs**Romania:**

Mr Lazăr COMĂNESCU

Minister for Foreign Affairs

Slovenia:

Mr Samuel ŽBOGAR

Mr Mitja GASPARI

Minister for Foreign Affairs
Minister Without Portfolio, responsible for European
Affairs and Development**Slovakia:**

Mr Ján KUBIŠ

Minister for Foreign Affairs

Finland:

Mr Alexander STUBB

Ms Astrid THORS

Minister for Foreign Affairs
Minister for Migration and European Affairs**Sweden:**

Mr Carl BILDT

Ms Cecilia MALMSTRÖM

Minister for Foreign Affairs
Minister for European Affairs**United Kingdom:**

Mr David MILIBAND

Secretary of State for Foreign and Commonwealth Affairs

Commission:

Ms Margot WALLSTRÖM

Mr Olli REHN

Vice-President
Member**General Secretariat of the Council:**

Mr Javier SOLANA

Secretary-General/High Representative for the CFSP

ITEMS DEBATED**PREPARATION FOR THE DECEMBER EUROPEAN COUNCIL**

The Council examined draft conclusions drawn up by the Presidency with a view to the meeting of the European Council to be held in Brussels on 11 and 12 December 2008.

The following questions will be discussed by the European Council:

- Treaty of Lisbon;
- economic and financial questions (in particular, a European economic recovery plan);
- energy and climate change (legislative package);
- common agricultural policy (CAP "health check");
- external relations and security (security and defence, Eastern Partnership).

ENLARGEMENT - Council conclusions

The Council adopted the following conclusions:

"ENLARGEMENT STRATEGY

In line with the renewed consensus on enlargement approved by the European Council on 15 and 16 December 2006 and the Council conclusions of 10 December 2007, the Council welcomes the Commission communication dated 5 November 2008 on Enlargement Strategy and Main Challenges 2008-2009, and takes due note of the analysis and recommendations therein.

Coherent implementation of the renewed consensus on enlargement, which is based on consolidation of commitments, fair and rigorous conditionality, better communication and the EU's capacity to integrate new members, continues to form the basis for EU action at all stages of the enlargement process, with each country being assessed on its own merits. The Council notes that the EU has taken steps to improve the quality of the enlargement process, in particular by making full use of benchmarks and impact studies and by tackling at an early stage essential issues relating to the rule of law and good governance, such as reforms of public administration and the judicial system and the fight against corruption and organised crime. The enlargement process will thus continue to promote peace, democracy and stability on the continent, give the EU greater weight on the world stage and bring concrete benefits, inter alia by enhancing prosperity, the prospects for economic growth and transport and energy opportunities.

The Council reaffirms that it fully supports the European perspective of the Western Balkans countries. It recalls the conclusions adopted on that subject on the same day.

The Council welcomes the intention of the incoming Czech Presidency to celebrate, in May 2009, the anniversary of the fifth EU enlargement.

TURKEY

The Council welcomes the Turkish Government's reaffirmed commitment to work for the reforms, and hopes that Turkey will now redouble its efforts to implement the measures so long awaited.

The Council recalls the strategic importance for the Union of Turkey. It applauds in particular the active and constructive role Turkey has played with its diplomatic initiatives in relation to the South Caucasus and the Middle East, and welcomes the close political dialogue between Turkey and the EU on all these matters. The Council particularly encourages the incipient rapprochement with Armenia. It also notes with satisfaction that Turkey is now a viable market economy.

The Council is pleased that a serious political crisis was able to be averted in the summer of 2008. It considers a review of the legal rules, including constitutional rules, as regards the functioning of political parties to be more necessary than ever. It is also important that all participants in Turkish politics work to resolve their differences in a spirit of dialogue and compromise, respecting the rule of law and fundamental freedoms; this will also help with the relaunch of the reform process.

The Council is disappointed to note that over the year just passed Turkey has made only limited progress, particularly as regards political reforms. Substantial efforts to ensure that Turkey meets the Copenhagen criteria must be made in several fields, such as continued judicial reform, establishing an anti-corruption strategy, effective protection of citizens' rights, full implementation of the policy of zero tolerance of torture and ill-treatment, ensuring freedom of expression and of religion in law and in practice for all religious communities, respect for property rights, respect for and protection of minorities and strengthening of cultural rights, women's rights, children's rights and trade union rights, and the civilian authorities' control of the military. As regards the East and the South-east, the Council takes note of the Turkish Government's decision to complete the Southeastern Anatolia economic development plan and emphasises the need to implement measures to ensure the economic, social and cultural development of the region.

The Council condemns all terrorist attacks and violence in Turkish territory in the strongest terms and expresses its full solidarity with the people of Turkey. The EU reiterates that it resolutely supports Turkey in its fight against terrorism, which must be conducted with due regard for human rights, fundamental freedoms and international law, while preserving regional peace and stability.

In line with the Negotiating Framework and previous European Council and Council conclusions, the Council repeats that Turkey needs to commit unequivocally to good neighbourly relations and to the peaceful settlement of disputes in accordance with the United Nations Charter, having recourse, if necessary, to the International Court of Justice. In this context, the Union urges the avoidance of any kind of threat, source of friction or action which could damage good neighbourly relations and the peaceful settlement of disputes.

Recalling its conclusions of 10 December 2007, the Council notes with regret that Turkey has not yet fulfilled its obligation of full non-discriminatory implementation of the Additional Protocol to the Association Agreement and has not made progress towards normalisation of its relations with the Republic of Cyprus. The Council will continue to closely follow and scrutinise progress made on the issues covered by the declaration of the European Community and its Member States of 21 September 2005, in accordance with its conclusions of 11 December 2006. Progress is now urgently awaited.

As emphasised by the Negotiating Framework, the Council also expects Turkey to actively support the ongoing negotiations aimed at a fair, comprehensive and viable settlement of the Cyprus problem within the UN framework, in accordance with the relevant UN Security Council resolutions and in line with the principles on which the Union is founded, including concrete steps to help bring about a climate favourable to such a comprehensive settlement.

The Council points out that the pace of the negotiations continues to depend in particular on progress made by Turkey in fulfilling the conditions laid down, including fulfilment of the opening and closing benchmarks and the requirements specified in the Negotiating Framework, which cover inter alia implementation of the Accession Partnership and compliance with the obligations arising from the Association Agreement. Adoption of the Turkish national programme for adopting the *acquis* and its effective implementation will be a key tool in this perspective.

The Council points out that the chapters for which technical preparations have been concluded will be opened or closed provisionally, according to established procedures and in line with the Negotiating Framework and subject to the Council conclusions of 11 December 2006. In this context, the Council awaits with interest the Intergovernmental Conference scheduled to be held with Turkey this month, during which further progress in the negotiations is expected.

The Council will continue to follow Turkey's progress closely and is determined to assist it in its reform efforts in order to take the negotiations forward, once all the necessary conditions have been fulfilled.

CROATIA

The Council commends Croatia for the considerable efforts it has made over the past year and the good overall progress made. Negotiations are on the right track and have entered a decisive stage.

Building on the progress already made, Croatia must further step up the pace of its reforms, in particular to make the significant progress that is expected in fundamental spheres such as judicial and administrative reforms, the fight against corruption and organised crime, respect for and protection of minorities, the return of refugees, prosecution of war crimes and economic reforms. Full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY), including access to documents, remains essential in line with the Negotiating Framework. Further efforts must also be made to continue and complete the transposition of the *acquis* and above all to guarantee its effective implementation on the ground.

In line with the Negotiating Framework and previous European Council and Council conclusions, the efforts towards good neighbourly relations must be continued, in particular work on finding definitive solutions to bilateral issues with neighbouring countries, especially as regards border issues.

The Council points out that the pace of the negotiations continues to depend in particular on progress made by Croatia in fulfilling the conditions laid down, including fulfilment of the opening and closing benchmarks and the requirements specified in the Negotiating Framework, which cover inter alia implementation of the Accession Partnership and compliance with the obligations arising from the Stabilisation and Association Agreement.

The Council points out that the chapters for which technical preparations have been concluded will be opened or closed provisionally, according to established procedures and in line with the Negotiating Framework. In this context the Council awaits with interest the Intergovernmental Conference scheduled to be held with Croatia this month, during which further progress in the negotiations is expected.

The Council considers that Croatia's progress towards the final stage of the negotiations depends in particular on its completion of the necessary political, economic, legislative and administrative reforms. The Council therefore considers that the indicative and conditional roadmap drawn up by the Commission is a useful tool which will help Croatia make the remaining major efforts required to reach the final stage of the negotiations.

The Council will continue to follow Croatia's progress closely and is determined to assist it in its reform efforts in order to achieve this objective, once all the necessary conditions have been fulfilled."

OTHER ITEMS APPROVED**EXTERNAL RELATIONS****Weapons of mass destruction - Progress report on the EU strategy**

The Council approved a six-monthly report on progress in the implementation of the EU strategy to combat the proliferation of weapons of mass destruction.

The report was drawn up by the personal representative of the High Representative Javier Solana for non-proliferation, in coordination with the Commission.

The EU strategy was adopted by the European Council in December 2003.

Weapons of mass destruction - Combating proliferation - Council conclusions

The Council adopted the following conclusions ([15565/08](#)):

"The Council welcomes the active implementation of the EU WMD Strategy adopted by the European Council in December 2003.

The Council underlines the usefulness of efforts which are being made to further improve the efficiency of the implementation of the Strategy through targeted action. It therefore endorses the document "New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery system" which identifies the following deliverables:

- an updated risk and threat evaluation document;
- models for awareness raising for undertakings, scientific and academic circles, and financial institutions;
- intensifying cooperation with third countries to help them to improve their non-proliferation policies and export controls;

- measures to combat intangible transfers of knowledge and know-how, including mechanisms of cooperation in terms of consular vigilance;
- intensifying efforts to impede proliferation flows and sanction acts of proliferation;
- intensifying efforts to combat proliferation financing;
- intensifying coordination/collaboration with, and contribution to, relevant regional and international organisations.

The Council calls on competent Council formations and bodies, the Commission, other institutions and Member States, to give a concrete follow-up to this document with a view to achieving its objectives by the end of 2010."

Establishment of a nuclear fuel bank - *Council conclusions*

The Council adopted the following conclusions ([15511/08](#), 15511/08 COR 1):

"The Council considers that it is important that the development of nuclear energy takes place in the best safety, security and non-proliferation conditions. Moreover, nuclear fuel supply security is crucial for countries developing a nuclear programme.

The Council recalls that international efforts aimed at establishing multilateral mechanisms will provide states with increased energy security. This may also offer a credible alternative to the development of national enrichment and reprocessing capabilities.

The Council decides to express its support for the establishment of a nuclear fuel bank placed under the control of the IAEA. The European Union is planning to contribute up to EUR 25 million to this project, once the conditions and modalities for the bank have been defined and approved by the Board of Governors of the IAEA.

The nuclear fuel bank will be part of a broader effort to provide multilateral fuel supply mechanisms. Different solutions will have to be developed for different needs. In this spirit, the European Union intends to pursue in the near future in-depth discussions on this issue with third parties concerned.

The Council calls on competent Council bodies, in cooperation with the Commission, to prepare a Council Joint Action in support of the establishment of an IAEA nuclear fuel bank, establishing a political framework and financing in particular aspects relevant to security. The Council welcomes the readiness of the Commission to contribute to the nuclear fuel bank project, through relevant Community instruments, subject to the fulfilment of the necessary institutional decision-making procedures."

Illicit accumulation of and trafficking in small arms - Implementation of EU strategy

The Council approved a progress report on implementation of the EU's strategy to combat the illicit accumulation of and trafficking in small arms, light weapons and ammunition.

The report covers EU activities in this field during the first half of 2008.

Small arms and light weapons - Agreements between the EU and third countries - *Council conclusions*

The Council adopted the following conclusions ([15506/08](#)) :

"The Council:

1. considers that the illicit manufacture, transfer and circulation of small arms and light weapons (SALW) and their excessive accumulation and uncontrolled spread constitute a serious threat to peace and international security;
2. stresses that the EU Strategy to combat the illicit accumulation and trafficking of SALW and their ammunition, adopted in 2005 in the framework of the European Security Strategy, continues to set the priorities and guidelines for the EU action in this field;

3. recalls the importance of countering the illicit supply and destabilising spread of SALW and their ammunition through the support to relevant national and international initiatives and norms, including the UN Programme of Action (UN PoA) to prevent, combat and eradicate the illicit trade in SALW in all its aspects and UNSC embargoes;
4. recalls the commitments undertaken under the above-mentioned EU Strategy on SALW to include the topic of SALW and its security aspects in the political dialogues between the EU and third countries and international, regional and sub-regional organizations and to use relations with third countries in this respect as part of an integrated approach to the European Union's external action, as it is already the case for other threats, such as WMD and terrorism;
5. notes that during recent negotiations of international agreements with third countries, and in particular negotiations of the non-proliferation of WMD standard clause, an increasing number of third countries required to complement this clause with a separate article addressing the illicit accumulation and trafficking of SALW, as part of an integrated approach to disarmament and arms control;
6. underlines the general need to include in the provisions relating to CFSP in all relevant international agreements with third countries¹, a specific article on illicit accumulation and trafficking of SALW and their ammunition in order to ensure coherence and systematization in addressing SALW issues in the contractual basis between the EU and its Member states and third countries. To this end, the following text will be used as a reference in future negotiations:

¹ Agreements, other than purely Community agreements, which contain provisions related to CFSP, as specified in Council document 14997/03, "*Fight against the proliferation of weapons of mass destruction - Mainstreaming non-proliferation policies into the EU's wider relations with third countries*", pp. 2-3.

SMALL ARMS AND LIGHT WEAPONS

- I. The Parties recognise that the illicit manufacture, transfer and circulation of small arms and light weapons, including their ammunition, and their excessive accumulation, poor management, inadequately secured stockpiles and uncontrolled spread continue to pose a serious threat to peace and international security.
 - II. The Parties agree to observe and fully implement their respective obligations to deal with the illicit trade in small arms and light weapons, including their ammunition, under existing international agreements and UN Security Council resolutions, as well as their commitments within the framework of other international instruments applicable in this area, such as the UN Programme of Action to prevent, combat and eradicate the illicit trade in SALW in all its aspects.
 - III. The Parties undertake to cooperate and to ensure coordination, complementarity and synergy in their efforts to deal with the illicit trade in small arms and light weapons, including their ammunition, at global, regional, sub-regional and national levels and agree to establish regular political dialogue that will accompany and consolidate this undertaking.
7. with regard to the CFSP and pursuant to Article 18 of the Treaty on European Union, invites the Presidency, assisted by the SG/HR, to implement these conclusions, with the assistance and support of the relevant Council bodies. The Commission will be fully associated;
8. recognizes that the present Council conclusions on CFSP aspects of small arms and light weapons (SALW) do not prejudice the competences that the European Community has on SALW related issues in the context of development cooperation."

Guidelines on the consular Lead State

The Council adopted guidelines for the implementation of the consular Lead State concept which it had approved in its conclusions of 18 June 2007 ([16618/08](#)).

Those conclusions provide that, in the event of a major consular crisis, the Lead State will endeavour to ensure that all European Union citizens are assisted and will coordinate the actions of Member States on the ground. That is without prejudice to the fact that it is the Member States who have the prime responsibility to protect their nationals.

Zimbabwe - Council conclusions

The Council adopted the following conclusions ([16639/08](#)):

- "1. The Council reiterates its deep concern at the deteriorating humanitarian situation in Zimbabwe, particularly as a result of the cholera epidemic and the continuing violence against supporters of the MDC. It reaffirms the European Union's commitment to the Zimbabwean people through a substantial and long-standing programme of humanitarian aid. It shares the opinion expressed by the "Group of Elders" in their statement on the crisis in Zimbabwe. It considers unacceptable the decision to bar its members from even entering Zimbabwe. The Council demands respect for the principles of humanitarian aid and, in particular, respect for the principle of impartiality and equal access to humanitarian aid for the entire Zimbabwean population.
2. The Council notes the conclusion of an agreement in principle between the parties on constitutional amendment number 19, the entry into force of which is one of the prerequisites for the implementation of the political agreement of 15 September. It nevertheless regrets the long standoff in negotiations since the agreement was signed and hopes that an agreement satisfactory to all parties can be reached soon. Eight months after the elections and almost three months after the initial power sharing agreement was signed, the Council recalls the importance of reaching a fair and viable power sharing agreement without delay. It calls for the cessation of unilateral decisions, such as the decision to confirm the appointment of the Governor of the Central Bank, which contradict the spirit of the agreement. The Council stresses the need for all parties to acknowledge that, if it is to be both lasting and democratic, the outcome of negotiations must reflect the will and choice of the Zimbabwean people as expressed in the 29 March elections.

3. The Council underlines the importance of the SADC, the African Union and the UN remaining actively engaged vis-à-vis the parties in order to reach a lasting and equitable solution. The Council emphasises the importance of remaining vigilant in relation to the possible consequences for the region of a continuation in the deterioration of the humanitarian situation and destabilisation of Zimbabwe.
4. The Council has decided to update the list of persons subject to EU individual restrictive measures, in particular by adding to the list names of persons actively engaged in violence or human rights infringements.
5. The Council reaffirms that the European Union stands ready to support the economic and social recovery of Zimbabwe once a government reflecting the will of the Zimbabwean people has been formed and shows tangible signs of a return to respect for human rights, rule of law and macroeconomic stabilisation."

Zimbabwe - Restrictive measures

The Council adopted a Decision updating the list of persons to whom restrictive measures against Zimbabwe apply ([12706/1/08](#)).

Eleven persons have been added to the list in view of the violence organised and committed by the Zimbabwean authorities and the continuing blocking of the implementation of the political agreement signed on 15 September 2008. On the other hand, one person has been removed from the list since he no longer meets the criteria for inclusion in and retention on the list.

By Common Position 2004/161/CFSP, the Council adopted measures to prevent the entry into or transit through EU territory and to freeze the economic resources of members of the Government of Zimbabwe and of persons, entities and bodies associated with them whose activities seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe.

On 31 July 2008 the Council decided to reinforce the restrictive measures preventing the entry into or transit through EU territory of such persons by adopting Common Position 2008/632/CFSP.

Military technology and equipment - Rules governing the control of exports

The Council established, in the form of a common position, common rules governing the control of exports of military technology and equipment, and replacing a Code of Conduct on that subject ([15972/1/08](#)).

Under that Common Position, each EU Member State must assess, on a case-by-case basis, export licence applications made to it for items on the EU Common Military List, in accordance with the following criteria:

- respect for the international obligations and commitments of Member States;
- respect for human rights in the country of final destination as well as respect by that country of international humanitarian law;
- internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts;
- preservation of regional peace, security and stability;
- national security of the Member States and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries;
- behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances and respect for international law;
- existence of a risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions;
- compatibility of the exports of the military technology or equipment with the technical and economic capacity of the recipient country, taking into account the desirability that States should meet their legitimate security and defence needs with the least diversion of human and economic resources for armaments.

This Common Position does not prevent EU Member States from conducting a more restrictive national policy in this area.

Code of Conduct for outer space activities - Council conclusions

The Council adopted conclusions on this subject ([16560/08](#)).

Migration and partnership with countries of origin and transit - Council conclusions

The Council adopted the following conclusions on this subject ([16041/08](#)):

- "1. The Council recalls the conclusions of the European Council of 19 and 20 June 2008 on enhancing the Global Approach to Migration.
2. The Council also recalls the adoption by the European Council on 15 and 16 October 2008 of the European Pact on Immigration and Asylum, which highlights the importance of the external dimension of the European Union's migration policy and the importance, in relations with each third country, of examining the quality of the existing dialogue with that country on migration issues.
3. In this context, the Council welcomes the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 8 October 2008, entitled "Strengthening the Global Approach to migration: increasing coordination, coherence and synergies", which responds to the invitation by the European Council to report on measures taken for the implementation of the Global Approach.

In view of the above, the Council approves the following conclusions:

4. The Council reaffirms that the Global Approach remains wholly relevant and that the guidelines identified in its earlier conclusions remain valid, particularly as regards the three components of the Global Approach and the need for their balanced implementation: good organisation of legal migration, the effective prevention of and fight against illegal immigration and the strengthening of the relationship between migration and development.
5. The Council underlines that the Global Approach is based on respect for international law, in particular concerning human rights and human dignity, and concerning refugees, including the Geneva Convention.

6. The Global Approach helps to make the action of the Community and the Member States more consistent. This has already been reflected in several concrete and positive initiatives promoting a better understanding of all aspects of migration and new forms of dialogue and cooperation.
7. The Global Approach offers a common policy framework which makes it possible to improve the integration of migration issues into the European Union's external relations, on the basis of an effective and balanced partnership with third countries. This reference framework governs the European Union's constructive dialogue on migration issues with other regional groupings and several third countries, while its integrated implementation is aimed at the south (Africa and the Mediterranean) and at the east and southeast of the European Union.
8. However, the Council notes that the implementation of the Global Approach has yet to face some challenges, linked in particular to:
 - the limitations of the various partners' administrative and technical capacity;
 - the time needed to develop initiatives and to obtain concrete results in this sensitive area;
 - the coordination required between the competent administrations on both sides;
 - the complexity of the financial tools;
 - the need to improve the coordination with overall external relations with the interested country or the region in question.
9. The Council believes that the success of the Global Approach in practice calls for more coordination and consistency between policies, particularly in the relationship with the external relations of the European Union and with development policies, sustained political commitment, and expanded and improved capacities to act.

10. With this in mind, the Council highlights the following priorities.

I. Consistent use of the various tools of the Global Approach

The Council underlines the importance of coordination in the implementation of the tools of the Global Approach, so as to promote synergies between them.

11. **Mobility Partnerships** are an essential element of the way in which the Global Approach is applied to a country. They are the framework of increased dialogue and cooperation for ensuring the concrete, concerted and balanced implementation of the three components of the Global Approach. Their content must be adapted to each of the countries involved.

The establishment of pilot partnerships is in progress. Their evaluation, requested for June 2009, is needed to enable a decision to be taken to extend these partnerships by 2009 and the process to be initiated in several additional countries. The choice of new partnerships must meet several criteria, including:

- the benefits of implementing such a measure as regards the migration flows with the country concerned, its economic and social situation, the migration profiles where appropriate, and the cooperation frameworks that already exist;
- the willingness of both sides and their capacity to become involved in this measure in a constructive and active fashion;
- the need to cover the diversity of migration routes;
- the lessons learned from the implementation and evaluation of existing partnerships.

12. European Union migration **missions** must continue to take place on a regular basis. They make it possible to launch political dialogue with third countries on the migration issue. They are intended especially to provide an opportunity to evaluate whether it would be appropriate or possible to implement such partnerships or other tools of the Global Approach. Efforts are needed to ensure local, regular and operational follow-up of the missions conducted.

13. Cooperation **platforms** offer a framework for local coordination between the different interested players in the pursuit of a dialogue on migration or for the implementation of mobility partnerships. They are also established and developed at regional level and will be continued for the implementation of regional initiatives on migration and the consolidation of the regional dialogue on this subject with third countries.

Stronger coordination and coherence between Community actions and Member States' actions is needed when operating the cooperation platforms.

14. **Migration profiles** are a reference tool for supporting mobility partnerships too. Their use should be generalised, their quality reinforced and their comparability increased. They should also be updated. The third countries concerned must be encouraged to take this tool on board; in future, its standing could be increased by creating a network of migration observatories. This analysis tool should also help in the formulation of appropriate migration policies, in taking account of migration in poverty reduction policies, in giving better guidance for the programming of financial instruments and in facilitating the impact assessment of the initiatives implemented.
15. In accordance with the European Pact on Immigration and Asylum, the Council also invites the Member States to take account of the three components of the Global Approach when concluding **bilateral agreements** with countries of origin and transit.

II. The themes of the Global Approach

The Council recalls the importance of the three components of the Global Approach, and has decided to consider the following aspects in more depth.

Organising legal migration: promoting mobility

16. **Mobility** must be an element of the Global Approach to be promoted, in accordance with national competences and needs.
- (a) Member States should facilitate, within the framework of their national legislation, the emergence of legal migration opportunities, in particular according to the needs of their labour market;

- (b) categories such as students, researchers and academics, businessmen, people in highly-qualified occupations should, under certain conditions, be able to move more easily. The rules on visas and residence permits should take account of this aim;
- (c) co-development measures can facilitate circular migration, including return and assistance to the migrant for effective reintegration in its country of origin in order to maximise the positive development effects of migration. Circular migration could also be encouraged through the implementation of adapted legal instruments, in particular to allow migrants to travel to their countries of origin without losing the benefit of their resident status in the country of destination.

The Council underlines the need to be vigilant in order to avoid brain drain and brain waste when implementing the abovementioned measures.

Fighting illegal immigration: the effectiveness of the return of illegal immigrants

- 17. Priority must be given to **voluntary return**, with programmes to assist return, in cooperation with competent international organisations, and projects to promote reintegration in the country of origin.
- 18. **Readmission agreements** are, in compliance with the law and with the dignity of the persons concerned, a priority objective which must be more closely linked to the Global Approach.
 - (a) Effective cooperation on readmission is a condition for a comprehensive and trusting partnership in the migration area. It is important in this regard to conclude the ongoing negotiations at Community level as fast as possible and to begin negotiating other agreements or arrangements in an appropriate manner.
 - (b) Community agreements in this area, although they may vary, must pursue some important objectives, particularly as regards:

- scope, in order to include third-country nationals and all applications received after the entry into force of the agreement;
 - time limits for a response, to be compatible with Member States' legislation and the practical constraints on them in this respect;
 - the effectiveness of the agreement, the application of which must not be subject to specific protocols;
- (c) From this point of view, the effective and satisfactory implementation of existing agreements, whether Community readmission agreements or other forms of obligation such as those resulting from the Cotonou Agreements, must be given particular attention in the context of the overall relationship with the third country concerned.
- (d) At general level, exchange programmes between officials in departments responsible for readmission should be developed.

Enhanced synergies between migration and development

19. With regard to commitments made within the European consensus on development, to the Council conclusions of 19 November 2007 on coherence between EU migration and development policies, and to the request by the European Council of 14 December 2007 that this work should be continued:
- (a) more systematic attention must be paid to the role and the contribution of **diasporas** to the development of their countries of origin, particularly through the development of associations and their networking and the reinforcement of their capacities;
- (b) the **transfer of remittances** must be facilitated. In particular, this means improving information about and access to banking services and to other financial operators, as well as promoting cooperation between the relevant operators. Productive investments by migrants in their countries of origin could also be supported by means of mechanisms to encourage such investment, such as special savings instruments;

- (c) the emphasis must be on **supporting employment policies** and developing the productive sector in countries of origin;
- (d) the opportunities for **intra-regional migration** for employment purposes should be further promoted.

III. Administrative capacity-building

20. The Council believes that for the above guidelines to be implemented effectively, support for administrative capacity-building in third countries and regional organisations is a priority in the following areas:

- (a) the design and management of migration and asylum policy, with the support, as appropriate, of:
 - technical assistance and the provision of training, with particular emphasis on the definition and the development of a political and legal framework on migration issues, the fight against immigrant smuggling and trafficking in human beings, and international protection;
 - the twinning of administrations and agencies;
- (b) establishing a link between migration and other policies, particularly as regards development, vocational training and employment. In particular, this means promoting better knowledge of labour markets, and thus the matching of supply of and demand for labour, as well as cooperation between administrations and bodies responsible for employment and immigration;
- (c) improving the quality of registry office records and stepping up action against document fraud by:
 - introducing an effective obligation to register;
 - improving registry office services and developing technical assistance;
 - using of modern technologies including biometrics;

(d) putting in place an integrated national border-management strategy through

- exchange of relevant information about migratory routes;
- assistance with training in skills which relate to border control, international protection and the fight against illegal immigration;
- the development of networks of contact points for the exchange of information;
- technical support and equipment for border posts, and for the surveillance of land, sea and air borders;
- regular meetings between those responsible for border control, in the context of increased operational cooperation in this area, which may include joint surveillance and control measures;
- the mobilisation, depending on the needs expressed, of the competent authorities of the Member States and of the Frontex agency.

IV. Geographical diversity of implementation

21. The Council reaffirms that the Global Approach must continue to apply, as such, **to the south, as well as to the east and south-east of the European Union**. Implementation efforts must focus on these regions, bearing in mind the objective of balance and added value. Application of the Global Approach to these geographical regions must also:

- vary according to their respective situations;
- be based as far as possible on existing frameworks and processes, including at regional level;

22. For **other geographical regions**, in particular Latin America, the Caribbean and Asia, while the idea is the same, the approach, less integrated at this stage, must focus on a genuine and comprehensive dialogue as well as practical cooperation.

The Council underlines in this regard, for example, that the Declaration of the Summit of Lima of 16 May 2008 envisages the establishment of a structured and comprehensive dialogue on migration. The modalities for the establishment of this dialogue should be examined as soon as possible.

Finally, the establishment of a tripartite dialogue between countries of origin, destination and transit in different geographical areas must be explored.

V. Themes and methods to be developed

23. The Council believes that certain themes deserve more attention in the Global Approach, in particular:

- consistency with the **external dimension of the European policy on asylum**, which should be fully integrated into the Global Approach;
- consideration of new issues, such as the effect of **climate change** on migration;
- attention must be given to the possible effects of the **international financial crisis** on economic and social balances and therefore on migratory phenomena;
- **consistency** with all other policies that might have a significant impact on sound management of migration flows;
- the issue of **unaccompanied minors**, which must be a specific item in the dialogue and cooperation with the third countries concerned.

24. The Council considers that an organised and effective **information and communication policy** is necessary:
- to raise awareness of European policy in this area and of its balance; to associate local authorities and other players, and to give the Global Approach a higher profile within the existing structures for dialogue;
 - to make a particular effort as regards information about the opportunities for legal migration and the rules which must be complied with in this area, particularly by means of information centres and sites, and also as regards information on the dangers of illegal immigration, particularly by means of local campaigns and audiovisual material.
25. The Council considers that the successful practical implementation of the Global Approach requires a better use of existing dialogue and cooperation structures. It depends very much on the involvement of **the Member States' diplomatic representations and of Commission delegations**, both in the regular dialogue with local authorities on migration issues and in the organised follow-up to initiatives and projects; and, finally, on the ability of the Member States and the Commission to cooperate with one another.
- In this context, the various forms of joint use of **liaison officers** responsible for migration issues must be actively developed.
26. The Council recommends that the opportunities for making **better use of existing Community financial instruments** for the implementation of the Global Approach should be examined and evaluated, in particular by considering how to facilitate their use, including by co-financing, and how to increase their comprehensibility and their consistency."

The EU and the Arctic region - *Council conclusions*

The Council adopted conclusions on this subject ([16826/08](#)), [16826/08 COR 1](#)).

Attacks in Mumbai - Council conclusions

The Council adopted the following conclusions ([16793/2/08 REV 2](#)):

- "1. The Council of the European Union, recalling its declaration of 27 November 2008, renews its strong condemnation of the attacks which took place in Mumbai on 26 November, resulting to date in more than 170 dead and 350 injured. It reiterates its expression of condolences to the families of the victims and its solidarity with the people of India and with the Indian authorities. The EU would like to thank the Indian services involved in assisting the European nationals who were victims of the attacks.
2. The EU reiterates its determination to contribute to the fight against terrorism throughout South Asia. It strongly urges the stepping-up of regional cooperation in combating terrorism. The EU hopes that Pakistan will cooperate fully with the Indian investigation into the attacks and that both countries and their neighbours will work together in bringing those responsible to justice. The EU also supports a continuation of Indo-Pakistani dialogue with a view to strengthening bilateral Indo-Pakistani cooperation as well as wider regional stability. It trusts that such a dialogue will develop on the basis of a shared determination to act to prevent such tragic events happening again.
3. The EU is determined to maintain regular high-level contacts with the Indian authorities in order to identify areas of practical cooperation for the purposes of combating terrorism. It stands ready to intensify its cooperation with India in this area."

EU-EFTA relations - Council conclusions

The Council adopted conclusions on this subject ([16651/1/08](#)).

EUROPEAN SECURITY AND DEFENCE POLICY

Launch of the EU NAVFOR Somalia military operation

The Council adopted a Decision on the launch of a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (EU NAVFOR Somalia / Operation Atalanta, [15376/1/08](#)).

The commander of Operation Atalanta has been authorised by the Council to release the activation order in order to execute the deployment of the forces and start execution of the mission.

The operation was therefore launched on 8 December 2008.

For more information on EU NAVFOR : www.consilium.europa.eu/eunavfor-somalia

Statement on tighter international security

The Council adopted a statement on tighter international security ([16751/08](#)).

This statement, which will be endorsed by the European Council on 11 and 12 December, gives further details of the principles and objectives set out in the European Security Strategy, with particular reference to counter-terrorism, drug trafficking, proliferation and disarmament.

In addition to the EU's contribution to security and development - in particular through crisis prevention, conflict management and post-conflict stabilisation - Europe also has to face up to new threats to its security and to its values of democracy and liberty. These new threats are more diverse, less visible and less predictable.

According to the statement, the EU has to provide credible responses to these threats, whatever their source, whatever their form, through prevention, deterrence and response, in close coordination with its principal partners in the world and with the relevant international organisations, in particular the United Nations.

In conjunction with the report on the implementation of the European Security Strategy, this statement will enable the European Union better to address the challenges and threats with which it will have to deal in the coming years.

Half-yearly report on the ESDP

The Council approved a Presidency report on the European Security and Defence Policy (ESDP) with a view to its submission to the European Council on 11 and 12 December ([16686/08](#)).

The report covers questions relating to the ESDP which were examined during the second half of the year and contains a mandate for the future Presidency.

Future perspectives of the European Security and Defence College

The Council approved the recommendations set out in a study carried out by the General Secretariat of the Council on the future perspectives of the European Security and Defence College (ESDC), emphasising, in particular, the growing demand for training provided by the College ([16629/08](#) and [16631/08](#)).

The ESDC Steering Committee recommends improving the functioning of the College, inter alia by providing it with a larger secretariat and its own budget and endowing it with legal personality.

The ESDC is organised in the form of a network of institutes, colleges, academies, universities and institutions within the EU concerned with security policy and defence issues, as well as the EU Institute of Security Studies. It establishes close links with the relevant EU institutions and agencies.

Since its creation in 2005, the ESDC has provided training in the field of the European Security and Defence Policy (ESDP) at strategic level, with a view to establishing and promoting a shared understanding of the ESDP among civilian and military personnel and to compiling and disseminating, through its training activities, best practice with regard to various ESDP-related issues.

For further information on the ESDC: <http://www.consilium.europa.eu/esdc>

Appointment of the Chairman of the Military Committee of the EU

The Council approved the appointment of General Håkan Syrén (Sweden) as Chairman of the Military Committee of the EU for three years from 6 November 2009 ([15582/08](#)). General Syrén will succeed General Henri Bentégeat.

HUMAN RIGHTS

Violence against women - EU guidelines

The Council approved guidelines on violence against women and combating all forms of discrimination against them.

The adoption of those guidelines is a mark of the EU's clear political will to treat the subject of women's rights as a priority and to take long-term action in that field. In focusing on the issue of violence against women and girls, the EU will be taking effective action against one of the major human rights violations of today's world.

The guidelines are also intended to encourage the implementation of a greater number of specific projects aimed at women, financed by, inter alia, the European Instrument for Democracy and Human Rights, but also by any other appropriate financial instrument of the EU and its Member States.

EU Guidelines on Human Rights Defenders

The Council adopted guidelines on human rights defenders.

The purpose of those guidelines is to provide practical suggestions for enhancing EU action in relation to support for human rights defenders. The guidelines can be used in contacts with third countries as well as in multilateral fora, in order to support and strengthen ongoing efforts by the Union to promote and encourage respect for the right to defend human rights.

United Nations Resolutions on women, peace and security

The Council approved a comprehensive approach to the EU implementation of United Nations Security Council Resolutions 1325 and 1820 on women, peace and security.

The European Union has undertaken to promote the role of women in peace building and to enhance the implementation of United Nations Resolutions in its external actions in that area.

Adopted in October 2000, Security Council Resolution 1325 is the first Security Council resolution to address the impact of armed conflict on women. It reinforces previous international and regional legal commitments and conventions relevant to women, peace and security and establishes a series of new principles.

In June 2008, the UN Security Council adopted Resolution 1820 on sexual violence in conflict, which explicitly links sexual violence as a tactic of war with the maintenance of international peace and security. The resolution emphasises that sexual violence perpetrated by arms bearers against civilians constitutes a war crime and requires parties to armed conflict to take appropriate measures immediately to protect civilians from sexual violence.

Universal Declaration of Human Rights - 60th anniversary - Council conclusions

The Council adopted the following conclusions on this topic ([16621/08](#)):

- "1. On the occasion of the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights, the Council reaffirms the primary importance which it attaches to that Declaration. Its universality, and the need to promote it, have been reaffirmed at the highest level, in particular at the 1993 World Conference on Human Rights held in Vienna, at the Millennium Summit of the United Nations in 2000 and at the World Summit in 2005.
2. The Universal Declaration is the cornerstone in the edifice built after the atrocities of World War II for the protection and promotion of human rights at the national, regional and global level, and is the foundation for advancing and ensuring human dignity worldwide. The European Union welcomes the fact that the Universal Declaration of Human Rights is now recognised by an increasing number of States as a major contribution to the development of customary international law.
3. The European Union, which is founded on the principles of respect for human rights, fundamental freedoms, including freedom of expression and of conscience, democracy and the rule of law, fully shares the values in which the Declaration is rooted. Its action both internally and externally is based on respect for the human rights enshrined in the European Convention on Human Rights and the Treaty on European Union, and reflected in the Charter of Fundamental Rights. The universality and indivisibility of human rights, the responsibility to defend those rights throughout the world, and the promotion of pluralistic democracy and effective guarantees for the rule of law are, for the European Union, essential principles. In this context, the European Union would note that the Agency for Fundamental Rights was created to provide the Institutions and the Member States with assistance and expertise in matters pertaining to fundamental rights.

4. The European Union recalls that everyone is therefore entitled to all the rights and freedoms set forth in the Declaration. It reaffirms that the primary task of international law in the sphere of human rights is to protect persons in the exercise of their freedoms and their rights. Everyone is entitled to all the rights and freedoms, without distinction of any kind, such as birth, race, sex, language, religion or conviction, political or other opinion, origin, belonging to a minority or other status. There can be no valid exemption from the principles enshrined in the Declaration through special provisions based on tradition or on national, cultural or religious considerations.
5. The European Union recognises and welcomes the achievements since the adoption of the Universal Declaration. However, it deplores the continuing flagrant violations of human rights in many regions of the world, including on the basis of sexual orientation. It reaffirms that the international community and all States, acting individually or collectively, have the legitimate and permanent responsibility to promote and safeguard human rights throughout the world, particularly in the context of the responsibility to protect, a key concept endorsed by all Heads of State at the World Summit in 2005 and which it is important for the international community to promote in order to protect civilian populations against the crime of genocide, war crimes, crimes against humanity and ethnic cleansing. The Union for its part will continue to denounce such violations and will endeavour to bring them to an end, wherever they occur. It reaffirms its unshakeable commitment and determination to make the full exercise of all human rights a reality for all.
6. The European Union pays tribute to the courage of human rights defenders, those often anonymous women and men who fight indefatigably to defend these universal values, sometimes at the cost of their own safety, and it will continue to accord them its full support.

7. The European Union exhorts all States which have not yet done so to accede to the main human rights treaties concluded in the United Nations framework, especially the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities. The European Union also invites all States which have not yet done so to plan to sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance.
8. As we mark the sixtieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, combating the impunity of those responsible for human rights violations must be a priority. The European Union calls on all States which have not yet done so to accede to the Rome Statute of the International Criminal Court.
9. Reaffirming the interdependence and indivisibility of human rights, the European Union notes with interest the adoption of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights by the United Nations General Assembly.
10. The European Union welcomes the adoption by the United Nations General Assembly on 18 December 2007 of its historic resolution calling for a moratorium on the application of the death penalty. It reaffirms its strongly held commitment to the universal abolition of the death penalty and urges those States which still practise capital punishment to consider abolishing it for good.
11. Women's rights merit special attention, as they are still all too often flouted in the world. All States are called on to step up their actions regarding the place and role of women in areas such as equality between men and women, the right to have a family, work, and combating violence against women, inter alia by drawing up an inventory of good practice. In this context, the European Union welcomes the adoption, on the one hand, of EU guidelines on violence against women and girls and combating all forms of discrimination against them and, on the other hand, of a comprehensive EU approach to protection and the role of women in conflict and post-conflict situations as well as guiding principles which aim to improve respect for women's rights in the context of operations under the European Security and Defence Policy.

12. Regarding the rights of the child, the Union will continue to promote a global and consistent approach in all its policies relating to human rights, security and development and humanitarian action.
13. The European Union reiterates its full support for international human rights mechanisms at the global and regional levels, particularly those within the United Nations (the Human Rights Council, the Office of the High Commissioner for Human Rights, the fifteenth anniversary of which is currently being celebrated, the General Assembly and special procedures) which play a major role in the promotion and protection of human rights, and for action in this area by the Organisation for Security and Cooperation in Europe and the Council of Europe."

Combating violence against women, in the ESDP framework - *Conclusions*

The Council adopted the following conclusions ([16520/08](#)):

- "1. The Council reaffirms the need to make the theme of women's rights a priority of the policy to defend human rights, and a subject for long-term action by the European Union.
2. The Council emphasises its willingness to take greater account in its external policy of women's rights and of the issue of equality between women and men, as defined in European and international instruments and in the relevant standards and commitments, in particular the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the additional protocol to it, the 1994 Cairo Action Programme, the 1995 Beijing Declaration and Platform for Action, the Statute of the International Criminal Court and the Millennium Development Goals.
3. To this end, the Council is adopting guidelines which make respect for women's rights and combating violence against them a priority of the external action of the European Union and its Member States. In particular, the EU must continue to play a leading role in combating sexual violence in armed conflicts.

4. In this context, the Council emphasises the importance of Security Council Resolutions 1325 and 1820, which constitute the guiding principles for ESDP operations. It also commends the work of the competent EU bodies, in liaison with civil society, which has led to the definition of principles and actions to step up measures to combat violence against women and to promote the role of women, especially by ensuring their effective participation in peace negotiations and in post-conflict reconstruction efforts. It welcomes the recommendations made by the conference held in Brussels on 10 October 2008, "From commitment to action – the EU delivering to women in conflict and post-conflict", which contributed to the drafting of a joint paper by the General Secretariat of the Council and the Commission on a comprehensive EU approach to protection and the role of women in conflict and post-conflict situations, and to the revision of the operational ESDP document on the implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP.
5. The Council recalls the close link between peace, security, development and gender equality. It stresses the need for a consistent and continuous approach, from crisis management to reconstruction and development activities.
6. The Council recalls the need to take account of the issue of gender in the EU's policies, particularly in questions of disarmament, demobilisation and reintegration (DDR), support for security sector reform (SSR), democratic governance, support for civil society, economic security and humanitarian action.
7. The Council stresses the need for effective coordination and cooperation, including on the ground, with the United Nations system, other international organisations, and the OSCE, as well as other international structures (the ICRC, the DCAF, etc.).
8. The Council invites the relevant bodies at the Council, the Commission and the other European institutions, and in the Member States, within the framework of their respective competences, to ensure that the documents attached to these conclusions are properly implemented."

DEVELOPMENT COOPERATION

EU/Zambia - Economic Partnership Agreement

The Council adopted a Regulation amending Annex I to Council Regulation (EC) No 1528/2007 in order to add the Republic of Zambia to the list of regions or states which have concluded negotiations on agreements establishing or leading to the establishment of Economic Partnership Agreements with the EU ([15553/08](#)).

In November 2007 Zambia initialled an interim agreement establishing a framework for an Economic Partnership Agreement with the Community in the context of wider-ranging negotiations in Eastern and Southern Africa. However, those negotiations did not result in a Zambian market access offer, and Zambia was thus not included in the Annex to the abovementioned Regulation. Since in September 2008 the European Community and Zambia initialled a Zambian market access offer, Regulation No 1528/2007 (OJ L 348, 31.12.2007, p. 1) has been amended to that effect.

TRADE POLICY

Kazakhstan - Iron and steel products

The Council adopted a Regulation setting quantitative limits for 2009 for imports of certain iron and steel products originating in Kazakhstan, keeping them at the same level as for 2007 and 2008 ([14366/08](#)).

The Regulation sets quantitative limits for 2009 pending the signature and entry into force of a new agreement on trade in iron and steel products or Kazakhstan's accession to the World Trade Organisation.

The Regulation will apply as from 1 January 2009.

Market access - *Council conclusions*

The Council adopted conclusions on this topic ([16198/08](#)).

Belarus - Agreement on textiles

The Council adopted a Decision on the signing and the provisional application of an Agreement with Belarus amending an existing agreement on trade in textile products (15567/08).

The Decision provides for a one-year extension of the present bilateral textiles agreement until 31 December 2009. It also eliminates 13 quotas that have been very little used and increases the quota for flax yarns. Quotas for outward processing are increased at the standard yearly rate, reducing to 21 the number of textiles categories that will be subject to quotas from 1 January 2009. Belarus will apply lower tariff rates for four tariff lines, and higher tariff rates for second-hand textiles.

GENERAL AFFAIRS

Integrated maritime policy - *Council conclusions*

The Council adopted conclusions on this subject ([16503/1/08 REV 1](#)).

- "1. The Council, recalling the guidelines defined by the European Council on 14 December 2007, welcomes the work initiated on the basis of the European Commission's contributions¹, with a view to implementing an integrated European maritime policy. It confirms that an integrated approach to maritime issues constitutes a major objective, since the synergies, the coherence and the added value of sectoral action undertaken by the European Union need to be reinforced by being integrated into a comprehensive vision of the seas, oceans and coastlines, taking account of distinctive regional features and in accordance with the principle of subsidiarity.

¹ – COM(2006) 275, Green Paper "*Towards a future Maritime Policy for the Union: A European Vision for the Oceans and Seas*", 7 June 2006;
 – COM(2007) 575, Blue Book "*An Integrated Maritime Policy for the European Union*" and Action Plan, 10 October 2007;
 – COM(2008) 395, Guidelines for an Integrated Approach to Maritime Policy, 26 June 2008.

2. Within that framework, the Council welcomes the progress recorded on several sectoral projects related to maritime issues, in particular:
- the launch of the reform of the common fisheries policy and the adoption of conclusions on the Commission's communication on the role of the common fisheries policy in the implementation of an ecosystem-approach to the management of the marine environment;
 - the progress made towards the adoption of the maritime safety package;
 - the conclusions on the European strategy for marine and maritime research;
 - the conclusions on the GMES initiative for marine and maritime sciences;
 - the proceedings in progress on the proposal for a Directive on pollution caused by vessels and the introduction of penalties for infringements;
 - the proceedings in progress on the proposal for a Directive on the implementation of the agreement concluded by the European Community Ship-owners' Association (ECSA) and the European Transport Workers' Federation (ETF) on the implementation of the 2006 Maritime Labour Convention, 2006 and amending Directive 1999/63/ EC.
 - It stresses that it is in the interest of the Member States to continue their collaboration on all those policies. The Council calls for rapid progress on these dossiers. Moreover, it encourages the Member States to begin the work required for the implementation of the framework Marine Strategy Framework Directive¹, which constitutes the environmental pillar of integrated maritime policy.
3. The Council also welcomes the launch of the Atalanta naval operation in support of United Nations Security Council Resolutions 1816, 1814 and 1838, that will help improve maritime security, as well as initiatives aimed at strengthening the coordination in the fight against piracy off the coast of Somalia.

¹ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (OJ L 164, 25.6.2008, pp. 19-40).

4. The Council is pleased at the commitment of the European Commission, the European agencies, and in particular the European Maritime Safety Agency (EMSA), the European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX), the Community Fisheries Control Agency (CFCA), the European Environment Agency (EEA) and the European Defence Agency (EDA), and the centres for the coordination of the fight against drug trafficking – the Maritime Analysis and Operations Centre – Narcotics (MAOC-N), the Anti-Drug Coordination Centre for the Mediterranean – CECLAD-Med) and the coordination centre against drug trafficking in the Eastern Mediterranean, to improvement of Europe's maritime surveillance capabilities. It recognises the important role which may be played by navies in the field of maritime surveillance and maritime security in general.

5. The Council also emphasises that a cross-cutting approach to governance, surveillance and knowledge issues is advisable. In this connection:
 - the Council believes that more in-depth reflection at Community and international levels must be given to governance issues in order to ensure the implementation of a long-term integrated maritime policy. It welcomes the progress made on integrated maritime governance and invites the Member States to promote best practices in that area on the basis of the debate opened by the Commission's "Guidelines for an Integrated Approach to Maritime Policy";

 - the Council underlines the comprehensive and integrating nature of surveillance, in all its components, ranging from the surveillance of human activities to the observation of the marine environment. It specifies that it is necessary to step up cooperation, coherence, coordination and interoperability in this area in the Member States as well as between Member States and between the different actors involved, while seeking to optimise cost-effectiveness, in accordance with the diversity of procedures of the different European policies. It invites the European agencies to pursue their cooperation in this field, as well as, in due course, with non-EU countries;

- the Council stresses the importance of developing, in cooperation with existing networks, knowledge and observation networks in marine environments, in particular to support the implementation of the Marine Strategy Framework Directive. It recalls the contributions of the integrated maritime policy to the Lisbon Strategy, in particular through the development of the concept of maritime clusters, as regards sustainable development based on knowledge of environments and requests Member States to continue to cooperate in the research field, in line with the European Commission's communication entitled "A European Strategy for Marine and Maritime Research"¹.
6. The Council takes note of the recent meeting of the High-Level Focal Points at which, in accordance with the principle of subsidiarity, there was political discussion of the major lines of integrated maritime policy, in particular its cross-cutting components, for example governance, surveillance and knowledge. It encourages forthcoming presidencies to continue discussions on the promotion of an integrated maritime policy on that basis.
7. With a view to European Maritime Day, based on the tripartite agreement between the European Parliament, the Council and the Commission signed in Strasbourg on 20 May 2008, the Council encourages activities to emphasise the importance of the sea in the Member States and in coastal areas. The Council thanks Italy for its offer to host the European Maritime Day Conference on 19 and 20 May 2009. The Council invites the Commission, in cooperation with Member States, to organise that conference henceforth, in a different Member State every year.

¹ COM(2008)534 Final "A European Strategy for Marine and Maritime Research – A coherent European Research Area framework in support of a sustainable use of oceans and seas", 3 September 2008.

8. The Council welcomes the presentation of the Commission communications entitled "Offshore Wind Energy"¹, "The European Union and the Arctic region"² and "Roadmap for Maritime Spatial Planning"³. In this connection, it stresses the importance of offshore production of renewable energy, including tidal power, for achieving the objective of making renewable energy account for 20 % of consumption. It also welcomes the Commission's intention of presenting a communication on the strategic options for European shipping and for the European maritime transport system in the horizon 2008-2018 and a communication on a Strategy for the Baltic Sea Region. On the last point, the Council notes the importance of the future strategy for the Baltic Sea for the integrated maritime policy of the European Union.

The Council also invites the Commission to continue the implementation of the action plan, in particular concerning the integrated management of the European maritime space and a significant pilot project for surveillance in the Mediterranean, with a view to preparing the progress report to be presented to the European Council at the end of 2009."

Proceedings in the Council's other configurations

The Council took note of a report on proceedings in other configurations ([16500/08](#)).

INSTITUTIONAL MATTERS

Council Rules of Procedure - Weighting of votes*

The Council adopted a Decision amending its Rules of Procedure in order to update the table on the populations of the EU Member States for 2009 for the purposes of qualified majority decision-making in the Council ([16079/08](#), [16316/08](#) and [16316/08 ADD 1](#)).

The Council's Rules of Procedure provide that when a decision is to be adopted by the Council by a qualified majority, and if a member of the Council so requests, it shall be verified that the Member States constituting the qualified majority represent at least 62 % of the total population of the European Union.

¹ COM(2008) 768 "Offshore Wind Energy: Action needed to deliver on the Energy Policy Objectives for 2020 and beyond", 13 November 2008.

² COM(2008) 763 final "The European Union and the Arctic region", 20 November 2008.

³ COM(2008) 791 final "Roadmap for Maritime Spatial Planning: Achieving Common Principles in the EU", 25 November 2008.

To that end, the EU population figures are updated annually in line with the figures provided by Eurostat.

The qualified majority is the number of votes required in the Council for the adoption of a decision on matters examined on the basis of Article 205(2) of the EC Treaty. The qualified majority is set at 255 votes out of a total of 345, which represents a majority of the Member States.

JUSTICE AND HOME AFFAIRS

Drugs Action Plan for 2009-2012

The Council approved a Drugs Action Plan for 2009-2012 ([16116/08](#)).

The plan continues the EU Drugs Strategy for 2005-2012 which provided for two consecutive Action Plans designed to facilitate practical implementation of the strategy by describing interventions and specific actions. The first Drugs Action Plan was for 2005-2008.

In support of the strategy, the new Action Plan is established on the basis of the existing framework but is guided by the lessons learnt over the past four years. It defines future priorities in the campaign against drugs, taking due account of national legislation.

CIVIL PROTECTION

European Critical Infrastructures *

The Council adopted a Directive on the identification and designation of European Critical Infrastructures and the assessment of the need to improve their protection ([10934/08](#) and [15827/08 ADD 1](#)). Adoption followed the political agreement reached by the Council on the Directive in June 2008.

The Directive defines the procedure necessary for identifying and designating European Critical Infrastructures and a common approach to the assessment of the need to improve the protection of such infrastructures in order to help protect the public. It focuses on the energy and transport sectors and will be reviewed three years from now in order to evaluate the effects and assess the need to add other sectors, particularly the information technology and communications sector.

"European Critical Infrastructure" means an asset, system or part thereof located in EU Member States which is essential for the maintenance of vital societal functions, health, safety, security, and economic or social well-being of people (production, transport and distribution of electricity, gas and oil for example; telecommunications; agriculture; financial and security services, etc.) and the disruption or destruction of which would have a significant impact in at least two EU Member States.

Preventing and responding to disasters

The Council approved the Presidency Report on Reinforcing the European Union's capacities to prevent and respond to disasters ([15933/1/08](#)).

ECONOMIC AND FINANCIAL AFFAIRS

Risk management in the banking sector

The Council decided not to oppose the adoption by the Commission of new technical provisions concerning risk management relating to the capital of investment firms and credit institutions.

BUDGETS

Financing of the Food Facility - Mobilisation of the Flexibility Instrument

The Council adopted a Decision on the mobilisation of the EU Flexibility Instrument to complement the financing of the Food Facility ([16460/08](#)).

Under that Decision, the sum of EUR 420 million in commitment appropriations will be mobilised in 2009 under the Flexibility Instrument, to complement the financing of the Facility.

SOCIAL POLICY

Inclusion of the Roma – *Council conclusions*

The Council adopted the following conclusions ([15976/1/08 REV 1](#)):

"THE COUNCIL,

1. Taking into account the conclusions of the European Council of December 2007 and June 2008;

ACKNOWLEDGING THAT

2. although the Roma within the European Union and its neighbouring countries have the same rights and duties as the rest of the population, they in fact form a group that is disadvantaged in several respects and is particularly vulnerable to social exclusion, poverty and discrimination;
3. the renewed Social Agenda package presented by the Commission on 2 July 2008 aims at giving a new impetus to policies to combat poverty and exclusion and combating discrimination against all vulnerable groups including the Roma;

4. these policies for Roma should be developed with reference to the age of the different audiences targeted, so as to support solidarity between generations whilst breaking the transmission of poverty from one generation to the next. They must also take account of the problems specific to Roma women;
5. better results may be obtained when vulnerable groups are closely involved in drawing up policies intended to improve their situation and to promote and protect their fundamental rights;

WELCOMES

6. the report ¹ presented by the Commission in its communication of 2 July 2008 which reviewed existing policies and instruments contributing to the inclusion of the Roma people and advocated a more systematic use of such policies and instruments for that purpose;
7. the organisation on 16 September 2008 of the first European Roma summit, in which representatives of the EU institutions and the Member States participated, and the fact that it brought about a considerable mobilisation of civil society which resulted in the adoption of a declaration;
8. the organisation on 29 and 30 September 2008 of the second Equality Summit which provided an opportunity to review the main forms of discrimination often faced by the Roma people in access to education, employment, vocational training and goods and services, and to discuss instruments to combat such discrimination;
9. the inclusion of the situation of the Roma in the European Union amongst the operational priorities of the 2008 annual work programme of the European Union Agency for Fundamental Rights, whose data and expertise are available to the EU institutions and the Member States;

¹ 11530/08 ADD 1 + 11530/08 ADD 1 COR 1.

CALLS UPON THE COMMISSION AND THE MEMBER STATES, in close cooperation,

10. on the basis of the conclusions of the report from the Commission, to take account of the situation of the Roma when designing and implementing policies to defend fundamental rights, combat poverty and discrimination and uphold gender equality, and ensure access to education, housing, health, employment, justice and culture, and where appropriate to identify specific actions for 2009 and 2010 to that end;
11. to make better use of the Structural Funds, the Pre-Accession Instrument and the European Neighbourhood and Partnership Instrument to promote the inclusion of the Roma, particularly in the fields of education, housing, health, employment and access to justice and to culture;

CALLS UPON THE COMMISSION

12. before the end of the first half of 2010, to submit to it a report on progress made;
13. to continue and deepen the discussions and organise a further summit concerning Roma in cooperation with the three presidencies in office from 2010 (Spain, Belgium, Hungary);
14. to organise, initially, an exchange of good practice and experience between the Member States in the sphere of inclusion of the Roma, provide analytical support and stimulate cooperation between all parties concerned by Roma issues, including the organisations representing Roma, in the context of an integrated European platform."