

European Union security and defence

CORE DOCUMENTS 2010

Compiled by Catherine Glère

July 2011

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EU SECURITY AND DEFENCE

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Introduction

The entry into force of the Lisbon Treaty in December 2009 inaugurated what is now called the Common Security and Defence Policy (CSDP), introducing important instruments (permanent structured cooperation, mutual assistance, solidarity in the event of terrorism or a natural disaster, new financial mechanisms). These instruments should enable the Union, in the context of the current economic and financial crisis, to pool its resources and strengthen peace and security beyond its borders. The crisis and its implications for national defence budgets may be seen as an opportunity to develop European military capabilities and the CSDP. At the end of 2010, this was the main topic of discussion of the Council of Ministers, meeting in a defence format under the chairmanship of the High Representative of the EU for Foreign Affairs and Security Policy, Catherine Ashton, also Vice-President of the European Commission.

A major instrument is, of course, the creation of the European External Action Service (EEAS), at the service of the HR, for which work progressed throughout the year. On 26 July 2010, the EU Council adopted the decision establishing the EEAS, based on Baroness Ashton's original proposal. *'I am delighted that in four short months since I tabled the proposal, we have come so far'*, she said. *'We can move forward to build a modern, effective and distinctly European service for the 21st century. The reason is simple: Europe needs to shape up to defend better our interests and values in a world of growing complexity and fundamental power shifts.'* On 25 October, Catherine Ashton announced the appointment of Pierre Vimont as Executive Secretary General and of David O'Sullivan as Administrative Secretary General of the EEAS.

As shown by the response to the devastating earthquake that hit Haiti on 12 January 2010, the EU security and defence structures contribute significantly to the international response to crisis situations. The 27 EU members approved the establishment, at the request of the UN, of a coordination cell (EUCCO) to facilitate the deployment of means to alleviate the suffering of the Haitian people. Until May, this small structure, based in the SITCEN (the intelligence centre of the EU), coordinated military and civil defence. For the first time, crisis management measures were taken under the Treaty of Lisbon, under the direction of the High Representative.

Africa is a continent where the Union has been present through several missions. With EUTM Somalia, from 15 February, the EU contributed to the efforts of the international community to strengthen the Transitional Federal Government (TFG), providing specialised training for more than 900 Somali soldiers, special attention being given to humanitarian law, and more specifically the protection of civilians, human rights and gender issues. The fight against impunity in the field of human rights and particularly violence against women was also one of the cornerstones of the police mission EUPOL RD Congo, to support national authorities in peacemaking, security and the rule of law. Regarding peacekeeping, the AMANI Africa mission was launched to help the African Union to establish the African Standby Force (ASF) and make it fully operational in late 2010. This two-year programme, culminating in the command

post exercise (CPX), has been designed to train African military and civilian officials to make planning decisions for crisis management at the continent level. It represents a very positive outcome of the first action plan within the partnership for peace and security in the context of the EU-Africa Joint Strategy.

Regarding the fight against piracy, the European naval force EU NAVFOR-Atalanta which contributes significantly to protect in particular the World Food Programme convoys and mission of the African Union in Somalia was extended for two years to 2012.

Other missions have had significant results. For example, EUMM Georgia (Civil Monitoring Mission in Georgia) has considerably reduced the number of reported incidents; and EULEX Kosovo is well-established two years after its launch.

In recent years, the EU and the international community have promoted the Security Sector Reform (SSR) as a way to help a country stabilise after a conflict. In this context, until late 2010, advice and assistance were provided to local authorities in Guinea-Bissau. The EU is currently engaged on this path through a wide range of instruments.

The European Union has been conducting operations as part of its security and defence policy since 2003. Seven years later, twenty-four military and civilian missions (encompassing peacekeeping, strengthening the rule of law, the fight against piracy, supporting disarmament, support for police and justice reform, security sector reform, border control, etc.) have taken place or are underway with a total staff of nearly 20,000. In 2010, in Africa, the Middle East, the Balkans, Southeast Asia and the Eastern neighbourhood, the EU became an increasingly active and recognised actor in the arena of international peace and security.

Core documents 2010

CHAPTER 1

Catherine Ashton – European Parliament

Brussels, 11 January 2010

European Parliament hearing – Opening remarks

I am delighted to be with you this afternoon and discuss how I intend to act as the EU's first-ever double-hatted High Representative for Foreign Affairs and Security Policy and Vice-President of the European Commission.

As you all know, I have the highest esteem for this House. Close co-operation with the European Parliament will be a key part of my new responsibilities.

The Lisbon Treaty is now in force. This is a moment of tremendous opportunity. It offers the promise of many things that the citizens of Europe – and members of this House – have long wanted.

A more democratic Union. A more effective Union that delivers results in the areas that matter most to citizens, including the economy. And above all, a stronger and more credible European role in a fast-changing world.

Big power shifts are taking place. New crises are popping up every day. We have to ensure that our response keeps up. I say 'we' deliberately, as this is very much a collective European responsibility.

Like many of you, I am convinced there is a clear call – inside the EU and around the world – for greater European engagement. To promote peace, protect the vulnerable, fight poverty and address the many problems of our time.

We have to answer this call. Combining leadership and partnership. Defending our values and promoting our interests. Listening to what our partners say. And making sure that when we speak, our voice is heard.

This is exactly what I intend to do. With the help of all of you in the European Parliament. Working with President Barroso and other colleagues in the Commission as a team, with all Ministers in the Foreign Affairs Council and appropriately with the President of the Council. I know my new role entails enormous responsibilities. And we all know that results do not happen by themselves or by merely stating our views. They flow from choices we make and actions we take.

So we owe it to our citizens and those around the world that look to Europe for help, that we seize the opportunities that the Lisbon Treaty offers.

One of the biggest tasks flowing from the Lisbon Treaty is the creation of the European External Action Service. This will be a top priority for me. Let me tell you why.

This is not just a bureaucratic exercise. But a 'once in a generation' opportunity to build something that brings together all the elements of our engagement – political, economic and military – to implement one coherent strategy. That is my vision.

We need to create something that adds value for citizens to what our member-states are already doing and that gives non-Europeans a reliable partner. We need the best and the brightest working for it. From all relevant backgrounds in the Commission, the Council Secretariat and the Member-States. We should also consider opening this further in the future.

Work has begun and I am personally stepping up preparations, so that I can present a proposal to allow a decision by the Council in April.

In all this, the European Parliament has a crucial role to play. You have already made some contributions. And I look forward to working closely with you, right throughout the process. But while we are creating the Service, we also have to tackle the immediate issues that confront us.

We need to be active and operational both on the global issues, where Europe is expected to play its full role. And in our immediate neighbourhood, where we are expected to take the lead. As Chair of the Foreign Affairs Council I will try to ensure that we live up to these expectations. Afghanistan and Pakistan, Iran, the Middle East, Somalia and Yemen are clearly some of the top priorities. I have already taken part in the NATO Ministerial on Afghanistan which also provided a good opportunity to meet with NATO Secretary General Anders Fogh Rasmussen. We agreed to work pragmatically for a very effective EU-NATO partnership.

I intend to travel to Washington soon, to discuss with Hillary Clinton and other top US officials how we can pull together our strategies and actions on the global issues. And I hope to visit Moscow and Beijing soon thereafter.

On the Middle East, I will be meeting tomorrow with Senator Mitchell and Tony Blair and I intend to travel to the region as soon as possible.

On Iran, my services are in close contact with all the relevant actors, including the E3+3. We need to decide on next steps in light of Iran's refusal to accept its international obligations.

Alongside these global issues, we as EU have primary responsibility for our neighbourhood. This is important per se. But our wider international credibility also depends on how we interact with our immediate neighbours.

This means promoting genuine political reforms in the Western Balkans and making sure the whole region succeeds on its path of eventual integration in the EU. We have taken positive steps on visa liberalisation with Serbia, Montenegro and the former Yugoslav Republic of Macedonia. In addition, we need an effective strategy to overcome the political stalemate in Bosnia-Herzegovina.

Beyond the Balkans, I intend to play an active role in Ukraine, where Presidential elections are looming and clear European interests are at stake, including on energy. Belarus, Moldova and the countries of the Southern Caucasus also call for active EU engagement.

The wider Mediterranean region similarly is a top priority. There are deep historical ties and common interests that bind us, as well as common problems including illegal migration. We need to take forward the work started under the Union for the Mediterranean.

Beyond our neighbourhood to the East and South lie Continents of crucial importance to Europe: Africa, Latin America and Asia. In all these we must remain engaged with creativity and determination.

Apart from these regional issues, I intend to develop on-going work on some thematic issues: non-proliferation, counter-terrorism, human rights, energy and climate change. These are not 'stand alone issues' but part of our broader agenda. And our strategies for dealing with them need to be joined-up and comprehensive.

The same applies to our crisis-management operations under what is now called the Common Security and Defence Policy. I know many of you have a clear interest in these missions and agree with me just how important they are.

They save lives. They create the space in troubled areas for politics to work. They are a crucial part of what Europe is doing on the ground.

We need to build on the progress made in recent years, making sure that our missions are well-staffed, well-equipped and well-led. So that we are ready to take action whenever our engagement is needed.

Finally, a word on international partnerships. The complex problems of a global world require comprehensive, multilateral responses. For me, this is what the notion of sustainable security is about.

To achieve this, we need effective partnerships with all relevant players: the US, China and Russia. But also Turkey, Japan, Canada, India, Brazil and South Africa. With the UN, NATO, the African Union and many others.

Nurturing these partnerships will be a big part of my day-to-day work. So that we have the necessary relationships to forge effective responses to individual challenges. But also to build the rules-based international system that we seek.

Members of this House,

I see this as a unique moment in Europe's journey. Above all a moment of opportunity. We need to be ambitious and result-oriented. Making sure that our words are backed up by actions. The Lisbon Treaty gives us the tools.

This is very much a team effort. My job is to try and pull it all together and provide impetus and leadership.

Clearly, active public support is essential. That is why I will be accountable to this House, whenever the Treaty has provided for it.

Furthermore, I am keen to promote wider debates across our Union on all these issues.

I look forward to your questions and our debate.

CHAPTER 2

Extraordinary Foreign Affairs Council

Brussels, 18 January 2010

After the earthquake in Haiti on 12 January, the EU and its Member States responded quickly, in coordination with international partners, in order to alleviate suffering and restore minimum conditions for the population. Aid came from all over the EU (doctors, fire-fighters, water purification units, tents, blankets and other vital supplies). On 18 January, EU High Representative Catherine Ashton convened an extraordinary meeting of the Foreign Affairs Council to discuss prospects for further coordinated action by the EU in response to relief and reconstruction needs in the country.

Council conclusions on the earthquake in Haiti

The Council adopted the following conclusions:

1. The European Union expresses its sincere and deepest condolences, sympathy and solidarity to the people of Haiti, of other nations and to the staff of international organisations, including the UN, for the massive loss of life and devastation caused by earthquake on 12 January, adding to the already fragile situation of the country. We share the grief of the families of those tens of thousands who have died and express our heartfelt sympathies to those who have been injured in this catastrophe.
2. In view of the proportions of the disaster and as a gesture of its solidarity with the victims of the earthquake, the High Representative in close coordination with the Spanish Presidency and the European Commission convened this extraordinary session of the Foreign Affairs Council (Foreign Affairs/Development and Humanitarian Aid) to underline the importance of the need for a rapid, coordinated response based on the humanitarian principles and to consider actions required in the course of next weeks and months.
3. The Council welcomes the efforts undertaken by the Haitian authorities and civil society, as well as by the UN, the Red Cross movement, other bilateral donors such as the US, the OIF and NGOs to bring aid to the people of Haiti, and pays tribute to the work of relief organizations and individuals from across the Union. The Council commends the Dominican Republic for the role it is playing in this crisis. The EU remains ready to provide assistance to the Dominican Republic.
4. The Council welcomes the global response to this crisis and strongly supports the central and overall coordinating role of the United Nations in the international relief effort.
5. The Council was briefed on the Union's response to the earthquake and the efforts to save lives and alleviate suffering. The Council welcomes the swift response by the European Union and by Member States in rapidly providing humanitarian emergency assistance and deploying humanitarian and civil protection experts from the Commission and the Member States, as well as efforts by Member States in the area of consular cooperation. The first priority has been to dispatch urban search and rescue teams, including military and civil engineering capabilities,

the current focus being to provide emergency health, water and sanitation, medical facilities, shelter, logistics, telecommunications and food. The Council underlines the need for adequate security on the ground to ensure safe and unhindered access of aid deliveries. The EU and its Member States stand ready to provide additional assistance on the basis of the ongoing needs assessment, including military and civil assets, as appropriate, responding to the UN request.

6. In this regard, the Council was briefed on the needs identified by the United Nations for additional support for transport and delivery of humanitarian aid and for the action of MINUSTAH to ensure adequate security on the ground. The Council invites the High Representative to identify Member States' contributions to these needs, regarding civilian as well as military means, and to present proposals, as appropriate, for the mobilisation of these means in a coordinated manner as soon as possible.

7. The Council also welcomes the European Commission's preliminary commitment of a total of 30 million EUR in humanitarian assistance, and by Member States who have preliminarily committed a further 92 million EUR. Following the launch of the UN's Flash Appeal for 575 million USD, the EU signalled its willingness to provide further humanitarian assistance in response to emerging needs. The Council also welcomes that for early non-humanitarian assistance, focusing notably on restoration of government capabilities, the preliminary financial contribution from the EU instruments amounts to 100 million EUR. The Council welcomes the proposal of the Commission to dispatch a joint team of EU experts to assess the most pressing needs, notably to support the capacity of the Haitian authorities. With regard to possible contributions from the Member States, the Council will revert to the issue at its next meeting on 25 January 2010.

8. The Council calls for, in due course and after post emergency needs have been fully assessed, an international conference and in this context it welcomes the launching of a coordinated Post Disaster Needs Assessment with the UN and the World Bank. It emphasizes that reconstruction efforts must be based on national priorities, take into account disaster risk reduction principles, respect the aid effectiveness principles and address the necessity of reinforcing Haiti's institutions to enable them to fulfil their basic governance functions.

9. In this regard, the Council requests that an EU-wide response to the post-emergency rehabilitation, recovery and reconstruction for long-term development needs of Haiti be submitted as soon as possible, which makes full use of all resources, expertise and funding available from EU and Member States, takes into account Member States' contributions to multilateral bodies and clearly addresses division of labour among the EU institutions and Member States, while fully linking relief to rehabilitation and development (LRRD). This response shall integrate EU development partners' contribution and notably the ACP Group and CARIFORUM, bearing in mind the possible impact of the current crisis on neighbouring countries. The EU response should take into account the wider efforts of the International Community in favour of Haiti. The Council takes note that the preliminary indications from the Commission on the financial contribution from the EU instruments to finance the longer-term response will amount to 200 million EUR.

10. The greatest possible synergies between all components of the response in the short term and in the medium to long term must be ensured.

11. The Council looks forward to further actions, including on paragraph 10, and will revert to these issues at its next meeting on 25 January 2010.'

CHAPTER 3

Foreign Affairs Council

Brussels, 25 January 2010

Haiti

(...)

The Council agreed that the Union would provide, in response to the UN appeal:

1. engineering expertise and equipment to open routes in order to facilitate the delivery of aid;
2. a maritime logistical capacity able to operate without port facilities;
3. a collective EU contribution, numbering at least 300 police personnel, to provide a temporary reinforcement of the police capability of the UN Stabilisation Mission in Haiti (MINUSTAH). This would include contributions by EU Member States that are part of the European Gendarmerie Force. (France, Italy, the Netherlands, Portugal, Romania and Spain are members of the European Gendarmerie Force.)

The Council also agreed to the High Representative's proposal to set up a cell in Brussels, EUCO Haiti, to coordinate contributions by Member States of military and security assets to meet needs identified by the UN. EUCO Haiti will complement the Monitoring and Information Centre (MIC) at the European Commission, which coordinates civil protection contributions by Member States.

The High Representative echoed several ministers in pointing to the need to ensure that appropriate assistance was given to children in Haiti, particularly those orphaned by the disaster.

Somalia – Council conclusions

(...)

The Council adopted the following conclusions:

'The Council remained concerned about the situation in Somalia and its regional implications, recalling its 27 July Conclusions. It expressed its continued full support to the Transitional Federal Government (TFG) of Somalia. It stressed the need for the full implementation of the Djibouti Agreement (19 August 2008). The Council reaffirmed the need to deal with the challenges of Somalia through a comprehensive approach. The EU should therefore continue to help stabilize Somalia by providing support to vital and priority areas such as the security sector, development, assistance to the population and capacity building support, in addition to ongoing deployment of EU NAVFOR Atalanta and humanitarian assistance. The Council recalled relevant UN Security Council Resolutions, in particular UNSCR 1872, in particular

UNSCR 1872, which urges the International Community to provide technical assistance to the Somali Security Forces.

In this context, the Council agreed to set up a military mission to contribute to training of Somali security forces. This mission would take place in Uganda where Somali forces are already being trained, which would also facilitate the coordination of the EU action with the African Union Mission in Somalia (AMISOM). It would be launched with the next intake of trainees, scheduled to start in spring 2010. The mission would be conducted in close coordination with our partners, including the TFG, Uganda, the African Union, the United Nations and the United States of America.

The Council recognised the need to carry out this training as part of a wider international effort and encompassing inter alia the vetting of trainees, the monitoring and mentoring of the forces once back in Mogadishu and the funding and payment of the salaries of the soldiers. The Council emphasised the need to ensure that these issues were satisfactorily addressed on a continuing basis, including before the launch of the mission.

Underlining the need for TFG ownership, the Council noted that it would also be essential that the international community gives the necessary support to the TFG to fulfil its role in developing its capacity with respect to its security forces.

The Council agreed to remain seized of the issue and asked the High Representative to report on progress achieved on a regular basis.'

Yemen – Council conclusions

The Council adopted the following conclusions:

'The EU reaffirms its commitment to a unified, stable, democratic and prosperous Yemen and recalls its support to the Government of Yemen in confronting the challenges it faces. In pursuing the implementation of its October conclusions, the EU is committed to joining with international partners, including Yemen's neighbours, in assisting the government through a comprehensive approach encompassing security, counter-terrorism, political dialogue, humanitarian and economic assistance. The aim is to ensure coherence and effectiveness of domestic and international efforts.

Acknowledging Yemeni ownership and responsibility of its reform efforts, the EU calls on the Government of Yemen to continue with its programme of domestic political and economic reforms. The EU welcomes the announcement by President Saleh to launch a comprehensive national dialogue, encourages its inception and calls on all national stakeholders to do their utmost to ease tension and strengthen the democratic process in Yemen.

The EU welcomes the forthcoming high-level Yemen meeting in London and looks forward to engaging fully with Yemen as well as with regional and international partners on follow up thereafter.'

Bosnia and Herzegovina – Council conclusions

(...)

The Council adopted the following conclusions:

‘The Council reiterated its full support for the European perspective of Bosnia and Herzegovina (BiH); and confirmed that Operation ALTHEA was an important part of the EU’s comprehensive efforts in BiH to support a political process aimed at enabling BiH, on the basis of the necessary reforms, to continue to move forward in the EU integration process.

The EU underlined its commitment to Bosnia and Herzegovina’s territorial integrity and sovereignty in accordance with the Dayton/Paris Peace Agreement. The Council also declared strong support for the High Representative/EUSR Valentin Inzko and called on all parties in BiH to comply with all decisions taken by him and not to seek to challenge his authority.

The Council recalled the decisive progress made by Operation ALTHEA towards accomplishing its mandate and in particular the completion of the military and stabilisation tasks provided for by the Dayton/Paris Peace Agreement; and underlined Operation Althea’s significant contribution to the stability and security of BiH. Building on these achievements, the Council decided to start providing non executive capacity-building and training support, within the framework of the Operation, subject to the completion of the necessary arrangements. The Council underlined in this context that security sector reform was an important part of the overall reform process in BiH, where EU military engagement through non-executive capacity-building and training tasks would contribute to strengthening local ownership and capacity.

The Council underlined the EU’s commitment to supporting BiH efforts to maintain the safe and secure environment. Operation ALTHEA’s executive mandate will continue in accordance with UN Security Council Resolution 1895 (2009). The Council expressed the readiness of the EU, should the situation require, to maintain an executive military role to support these efforts beyond 2010, under a UN mandate.

The Council confirmed that it will continue closely to monitor the situation in BiH. To this end, it intends regularly to review the operation, taking into account the internal situation in BiH as well as developments concerning the international community’s presence, including the future role of the EUSR.

These elements should be seen as part of the EU’s overall engagement and complementary to the wide range of instruments that contribute to a prosperous and secure BiH.’

CHAPTER 4

Catherine Ashton – Munich Security Conference

Munich, 6 February 2010

Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy and Vice President of the Commission gave today the following speech at the Munich Security Conference:

‘I am delighted to be at this year’s Munich Security Conference.

There are many conferences these days on European or global security. But the Munich Security Conference has a special place.

I know many of you have been coming here for a great many years. For me, however, this is the first time.

I would therefore like to begin by thanking Wolfgang Ischinger for giving me the opportunity to sketch out some ideas about how we as the European Union see the main security challenges. And what our approach is in terms of policy response.

As you all know this is an important moment in Europe’s history. With the Lisbon Treaty in force, we have an opportunity to deliver a step change in European foreign policy.

Ours is a world of growing complexity with many threats and challenges, including fragile states, terrorism, organised crime, the proliferation of weapons of mass destruction, cyber security.

Wider issues also affect the security of our citizens: energy, climate change and the competition for natural resources, illegal migration and human trafficking.

Many of these threats are inter-linked. We have to identify the linkages and then frame and implement comprehensive strategies. We must mobilise all our levers of influence – political, economic, plus civil and military crisis management tools – in support of a single political strategy.

The development – security nexus is just one example. There cannot be sustainable development without peace and security. And without development and poverty eradication there will be no sustainable peace.

We also know that internal and external challenges are inter-connected. Take illegal migration or terrorism. Neither is a purely internal or external issue.

For us in Europe there can be only a collective response, and Lisbon will help us to do so. The creation of the European External Action Service is important to promote exactly the kind of joined up thinking and action we need.

This is not just a bureaucratic exercise. It is a once-in-a-generation opportunity to build something new. My aim and ambition is for a service fit to tackle the problems of the 21st century. One that adds real value to what our EU member-states are already doing. And that forms an integrated platform to project our values and interests in a fast-changing world.

The Lisbon Treaty promises a step change, but the EU is already taking action in many crisis zones.

We have responded in record time to the terrible earthquake in Haiti: with a significant humanitarian effort on the ground; with elements, such as formed police units, to help MINUSTAH maintain security; and with a commitment to stay engaged for the long-term.

We are also stepping up our engagement in Afghanistan. The aim is clear: to help Afghans take greater responsibility for the security and development of their country. That was the main message from the London conference.

The EU is doing what we do best: working with the government to rebuild a functioning Afghan state. Afghan ownership requires capable Afghan institutions, whether to ensure regional economic development or cement the rule of law.

Our work on police training and justice reform may be discrete, but it is essential for long-term sustainable security that Afghanistan needs.

This same philosophy applies to our actions in the Middle East. We are working on the diplomatic front to get negotiations started. We are also supporting the Palestinians to build a state for the future and to strengthen their capacities in the area of police and broader security.

In Somalia, the EU is working actively to promote stability on shore and to tackle the threat of piracy off shore. Just yesterday there was the successful rescue of a Slovenian owned vessel from pirates, due to the joint efforts of EU forces, together with Indian and Russian warships.

Along with our naval force ATALANTA, work is underway on a small, targeted military training mission to support the Somali government.

We know that we in the EU have primary responsibility for our neighbourhood. This is important in itself but our wider international credibility also depends on the work we do with our neighbours.

This means promoting genuine political reform in the Western Balkans and making sure the whole region succeeds on its path of eventual integration into the EU. Progress on this path depends on the pace of reforms at home. And the reality is that some countries are advancing faster than others.

Beyond the Balkans, the EU should play an active role in Ukraine. We want the will of the Ukrainian people to be expressed at the polls tomorrow. And we want to work with Ukraine to make a big push on political and economic reforms in the country, something that is also in the EU's interest.

Then there is Georgia. It is a fact that it is the EU that is presently the main actor on the ground, with a monitoring mission, a full package of support and cooperation and the potential for a deeper political relationship. We will remain engaged and are fully committed to territorial integrity.

I hope by now you get my point. The days when EU foreign policy could be dismissed as all talk and no action are long over.

To date, we have deployed 23 missions under what is now called the Common Security and Defence Policy. These missions are innovative, tailor-made solutions, mixing civil with military components. This is precisely what the EU's added value is – and what the complex security challenges of our world require.

Of course there is a lot more work to be done. We must develop extra capabilities for modern crisis management. We need to ensure that we have the right tools, people and systems in place – so that we can respond quickly and more effectively.

Whenever we decide to act, there are two imperatives.

First we must be clear on what the political strategy is – and ensure that means and aims are aligned.

Second, we should always use a wide prism. None of the threats we face is purely military in nature. We should always mobilise the full range of tools at our disposal.

But even if we have all our policies lined up and the political will to act, Europe alone will not be able to solve the problems I mentioned. In a world of deep inter-dependence where threats are global, everybody needs partners.

You also need an effective system of rules and institutions. Global governance is an overused phrase but a vital concept. In many respects the existing system is under pressure – both in terms of effectiveness and legitimacy – just when we need it most.

A key example is the Nuclear Non-Proliferation Treaty. The NPT has served us well. But it is under pressure. We have to take clear action against those that are not in compliance with the treaty but also provide access to civil nuclear technology to those who want it with proper safeguards. The upcoming Review Conference must be a success.

I welcome that the Iranian Foreign Minister came to this conference. Iran must now respond to the Director-General of the IAEA on the question of the refuelling the Tehran research reactor. There is a proposal on the table which is a creative attempt to build confidence with Iran by practical cooperation in the nuclear area. I pay tribute to the imaginative policies of the Obama Administration towards Iran – policies which have so far gone without adequate response. The Tehran research reactor proposals are intended to build confidence – badly needed. Years of talks by my predecessor Javier Solana and his colleagues took place against the backdrop of clandestine work continuing – contrary to the rules of the safeguards system by which we are all bound.

There is a need to restore confidence in the peaceful nature of Iran's programme. This must be done by dialogue. I agree with the Chinese Foreign Minister that possibilities of dialogue are not exhausted. But dialogue takes two. And I am ready to engage on meaningful, productive talks that deal directly with the issues that trouble us.

A strong United Nations is at the heart of the international system. EU-UN co-operation includes many success stories, on crisis management, but also on development, human rights, climate change and beyond.

Indeed, we work closely with many organisations. With NATO in the Balkans (Bosnia and Kosovo) and Afghanistan. With the African Union in Somalia. And with the Organisation for Security and Co-operation in Europe (OSCE) in the Balkans and Georgia.

We also see the OSCE as the primary place for discussions on the Russian initiative for a European Security Treaty. We are open to discussing any idea that could enhance European security.

Not all is well on our continent. Distrust lingers. Some conflicts are far from 'frozen'. Some treaties, for instance on conventional weapons are not functioning as they should. And many new security challenges loom.

In all this it is important that we anchor our discussions. There are a number of principles and commitments we have commonly agreed:

- that we do it together – the US, Europe and Russia;
- that we agree on the non-use of violence to settle political disputes;
- that states are free to join the security alliance they wish;
- and that we uphold our comprehensive approach to security, including respect for human rights.

Lastly, I intend to invest a lot in strengthening partnerships across the world: China, India, South Africa, Brazil, Mexico and Indonesia.

4 EU security and defence 2010

For too long we have seen these countries mainly through an economic prism. But it is clear that they are major political and security players too, with increasing political clout. Our mental map has to adjust – and fast.

My sense is that the European response should be more generous – in making space at the top tables of global politics. Early on, when strategies are formed, not just when resources are needed for implementation.

But we should also be demanding. Rights and responsibility go hand in hand. The rising powers have a big stake in upholding global security. And it is appropriate that we ask for a fair contribution from their side to provide what are global public goods.

Let me say in closing that the security agenda we face is large and complex. There must be collective action. We in Europe can and should play our part. It is what European citizens want. And it is what partners around the world expect. It is partly my job to ensure that ‘supplies’ meet that ‘demand’.

Thank you very much.’

CHAPTER 5

Iran – Statement by Catherine Ashton

Brussels, 9 February 2010

‘I want to underline the concern of the EU at the announcement by the Iranian President on 7 February and the notification made to the IAEA on 8 February of the Iranian plan to enrich uranium up to the level of 20%.

Iran’s enrichment activity is contrary to several Security Council Resolutions. Taking enrichment to the level of 20% adds to the deficit of confidence in the nature of Iran’s nuclear programme.

This has already been aggravated by Iran’s unwillingness to engage in meaningful talks.

Enriching uranium to the level of 20% does not in itself provide fuel for the Tehran Research Reactor. This requires construction of fuel assemblies for which we do not believe that Iran has either the technical knowledge or the intellectual property rights. As things stand it seems unlikely that on its own Iran will be able to refuel the Tehran Research Reactor and to continue production of medical isotopes for which, as Iran has insisted, there is an important need. We continue to find it difficult to understand why Iran has not taken up the proposed agreement with the IAEA which would have solved all these problems.

The EU will continue to review all aspects of the Iranian nuclear issue on the basis of its dual-track approach and, as the European Council stated in its declaration of December 2009, stands ready to take the necessary steps to accompany the UNSC process.’

CHAPTER 6

Somalia – Council Decision

Brussels, 15 February 2010

Council decision 2010/96/CFSP of 15 February 2010 on a European Union Military Mission to contribute to the training of Somali Security Forces

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28 and 43(2) thereof,

Having regard to the proposal by the High Representative of the Union for Foreign Affairs and Security Policy (HR),

Whereas:

(1) In its Resolution 1872 (2009) on the situation in Somalia, adopted on 26 May 2009, the United Nations Security Council (UNSC) stressed the importance of the re-establishment, training, equipping and retention of Somali security forces, and urged Member States and regional and international organisations to offer technical assistance for the training and equipping of the Somali security forces. In its Resolution 1897 (2009), adopted on 30 November 2009, the UNSC recalled its previous resolutions and reaffirmed its respect for the sovereignty, territorial integrity, political independence and unity of Somalia.

(2) In its conclusions of 27 July 2009, the Council decided to step up the engagement for promoting peace and development in Somalia. To this end, the Council studied the possibilities for the Union to contribute to international efforts, including in the field of security.

(3) In its conclusions of 17 November 2009, the Council stated that further Union support to the Somali security sector should be considered within a comprehensive EU approach to the situation in Somalia, and that this support should be part of a larger and coherent framework involving close EU cooperation and coordination with the African Union, the United Nations and other relevant partners, in particular the United States of America. With regard to the African Union, the Council furthermore underlined the importance of the role of the African Union Mission in Somalia (AMISOM).

(4) On 17 November 2009, the Council approved a Crisis Management Concept on a possible European Security and Defence mission to contribute to the training of the security forces of

the Somali Transitional Federal Government (TFG) and requested further planning work. Subsequently, the Political and Security Committee (PSC) appointed a Planning Authority.

(5) By letters dated 18 November 2009 and 23 January 2010 respectively, the TFG expressed its appreciation for the Union's efforts to coordinate the training of the Somali security forces and its efforts towards peace and stability in Somalia, and assured the Union of its commitment to bear its responsibility with regard to the recruitment, training and retention of recruits; it also emphasised its commitment to a broader security sector policy in Somalia.

(6) By letter dated 30 November 2009, African Union Deputy Special Representative for Somalia, on behalf of the African Union Commission, welcomed the positive reflection of the EU regarding the training of over 2 000 Somali security forces.

(7) On 8 December 2009, the Council selected a military strategic option for the potential EU military mission.

(8) In its report to the UNSC of 31 December 2009, the United Nations Secretary-General referred to the Crisis Management Concept regarding a possible European Security and Defence Policy mission to support the training of the Somali security forces and underlined that when the EU planning for the delivery of training would be implemented, the EU trainers would be expected to follow harmonised and approved curricula.

(9) By letter dated 5 January 2010, the Minister of Defence of Uganda welcomed the Union's envisaged mission in support of the Somali security sector and invited the Union to participate in the training of Somali security forces in Uganda for a period of at least one year.

(10) On 20 January 2010, the Union made an offer to the TFG to contribute to the training of the Somali security forces.

(11) In its conclusions of 25 January 2010, the Council agreed to set up an EU military mission to contribute to the training of Somali security forces in Uganda, where Somali forces are already being trained. The mission would also facilitate the coordination of EU action with AMISOM. The Council furthermore agreed that the EU military mission would be launched with the next intake of trainees, scheduled to start in spring 2010, and that it would be conducted in close coordination with partners, including the TFG, Uganda, the African Union, the United Nations and the United States of America. The Council recognised the need to carry out this training as part of a wider international effort and encompassing, inter alia, the vetting of trainees, the monitoring and mentoring of the forces once back in Mogadishu and the funding and payment of the salaries of the soldiers.

(12) The PSC should exercise, under the responsibility of the Council and of the HR, political control over the EU military mission, provide it with strategic direction and take the relevant decisions in accordance with the third subparagraph of Article 38 of the Treaty on European Union (TEU).

(13) It is necessary for international agreements relating to the participation of third States in EU missions and to the status of EU units and personnel to be negotiated and concluded.

(14) The operational expenditure arising from this Decision, which has military or defence implications, should be borne by the Member States pursuant to Article 41(2) of the TEU and in accordance with Council Decision 2008/975/CFSP of 18 December 2008 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena)¹ (hereinafter 'ATHENA').

1. OJ L 345, 23.12.2008, p. 96.

(15) Article 28(1) of the TEU calls for Council decisions to lay down the means to be made available to the Union. The financial reference amount, for a 12-month period, for the common costs of the EU military mission constitutes the best current estimate and is without prejudice to the final figures to be included in a budget to be approved in accordance with the rules laid down in ATHENA.

(16) In accordance with Article 5 of the Protocol on the position of Denmark annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications. Denmark does not, therefore, participate in the financing of this mission,

HAS ADOPTED THIS DECISION:

Article 1

Mission

1. The Union shall conduct a military training mission, hereinafter called ‘EUTM Somalia’, in order to contribute to strengthening the Somali Transitional Federal Government (TFG) as a functioning government serving the Somali citizens. In particular, the objective of the EU military mission shall be to contribute to a comprehensive and sustainable perspective for the development of the Somali security sector by strengthening the Somali security forces through the provision of specific military training, and support to the training provided by Uganda, of 2 000 Somali recruits up to and including platoon level, including appropriate modular and specialised training for officers and non-commissioned officers. The EU military mission shall operate in close cooperation and coordination with other actors in the international community, in particular, the United Nations, the African Union Mission in Somalia (AMISOM), and the United States of America.

2. The EU military training carried out to that end shall take place mainly in Uganda, in accordance with the political objective of the EU mission to contribute to the training of Somali security forces, as defined in the Crisis Management Concept approved by the Council on 17 November 2009. An element of this EU military mission shall also be based in Nairobi.

Article 2

Appointment of the EU Commander

1. Colonel Ricardo González Elul is hereby appointed EU Mission Commander.

2. The EU Mission Commander shall exercise the functions of EU Operation Commander and EU Force Commander.

Article 3

Designation of the EU Headquarters

The EU Headquarters of the mission shall be located in Uganda. It will include a liaison office in Nairobi and a support cell in Brussels. It shall perform the functions of both Operational Headquarters and Force Headquarters.

Article 4

Planning and launch of the mission

The Decision to launch the EU military mission shall be adopted by the Council following approval of the Mission Plan.

*Article 5***Political control and strategic direction**

1. Under the responsibility of the Council and the High Representative of the Union for Foreign Affairs and Security Policy (HR), the Political and Security Committee (PSC) shall exercise the political control and strategic direction of the EU military mission. The Council hereby authorises the PSC to take the relevant decisions in accordance with Article 38 of the Treaty on European Union (TEU). This authorisation shall include the powers to amend the planning documents, including the Mission Plan and the Chain of Command. It shall also include the powers to take decisions on the appointment of the EU Mission Commander. The powers of decision with respect to the objectives and termination of the EU military mission shall remain vested in the Council.
2. The PSC shall report to the Council at regular intervals.
3. The PSC shall, at regular intervals, receive reports from the chairman of the EU Military Committee (EUMC) regarding the conduct of the EU military mission. The PSC may invite the EU Mission Commander to its meetings, as appropriate.

*Article 6***Military direction**

1. The EUMC shall monitor the proper execution of the EU military mission conducted under the responsibility of the EU Mission Commander.
2. The EUMC shall, at regular intervals, receive reports from the EU Mission Commander. It may invite the EU Mission Commander to its meetings, as appropriate.
3. The chairman of the EUMC shall act as the primary point of contact with the EU Mission Commander.

*Article 7***Implementation and consistency of the Union's response**

1. The HR shall ensure the implementation of this Decision and its consistency with the Union's external action as a whole, including the Union's development programmes.
2. The EU Mission Commander shall assist the HR in the implementation of this Decision.

*Article 8***Participation by third States**

1. Without prejudice to the Union's decision-making autonomy or to the single institutional framework, and in accordance with the relevant guidelines of the European Council, third States may be invited to participate in the mission.
2. The Council hereby authorises the PSC to invite third States to offer contributions and to take the relevant decisions on acceptance of the proposed contributions, upon the recommendation of the EU Mission Commander and the EUMC. Detailed modalities for the participation by third States shall be the subject of agreements concluded pursuant to Article 37 of the TEU and in accordance with the procedure laid down in Article 218 of the Treaty on the Functioning of the European Union (TFEU).
3. Where the Union and a third State have concluded an agreement establishing a framework for the latter's participation in crisis management missions of the Union, the provisions of such an agreement shall apply in the context of this mission.

4. Third States making significant military contributions to the EU military mission shall have the same rights and obligations in terms of day-to-day management of the mission as Member States taking part in the mission.

5. The Council hereby authorises the PSC to take relevant decisions on the setting-up of a Committee of Contributors, should third States provide significant military contributions.

Article 9

Status of EU-led personnel

The status of EU-led units and personnel, including the privileges, immunities and further guarantees necessary for the fulfilment and smooth functioning of their mission, may be the subject of an agreement concluded pursuant to Article 37 of the TEU and in accordance with the procedure laid down in Article 218(3) of the TFEU.

Article 10

Financial arrangements

1. The common costs of the EU military mission shall be administered in accordance with Council Decision 2008/975/CFSP of 18 December 2008 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena)⁽²⁾ ('ATHENA').

2. The financial reference amount for the common costs of the EU military mission shall be EUR 4.8 million. The percentage of the reference amount referred to in Article 32(3) of ATHENA shall be 60 %.

Article 11

Release of information to third parties

1. The HR is hereby authorised to release to the United Nations (UN), the African Union (AU, AMISOM), and other third parties associated with this Decision, EU classified information and documents generated for the purposes of the EU military mission up to the level of classification appropriate for each of them and in accordance with the Council's security regulations⁽³⁾.

2. The HR is hereby authorised to release to the UN, the AU, AMISOM and other third parties associated with this Decision, EU non-classified documents relating to Council deliberations on the EU military mission which are covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council's Rules of Procedure⁽⁴⁾.

Article 12

Entry into force and termination

1. This Decision shall enter into force on the date of its adoption.

2. The EU military mission shall terminate in 2011 after two consecutive six-month training periods.

3. This Decision shall be repealed as from the date of closure of the EU Headquarters, the liaison office in Nairobi and the support cell in Brussels, in accordance with the plans approved for the termination of the EU military mission, and without prejudice to the procedures regarding the audit and presentation of the accounts of the EU military mission, laid down in ATHENA.

(2) OJ L 345, 23.12.2008, p. 96.

(3) Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations (OJ L 101, 11.4.2001, p. 1).

(4) Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35).

*Article 13***Publication**

1. This Decision shall be published in the Official Journal of the European Union.
2. The PSC decisions on the appointment of an EU Mission Commander and on the acceptance of contributions from third States, as well as on the setting-up of a Committee of Contributors shall likewise be published in the *Official Journal of the European Union*.

Done at Brussels, 15 February 2010.

For the Council

The President

Á. Gabilondo

CHAPTER 7

Foreign Affairs Council

Brussels, 22 February 2010

EU response to earthquake in Haiti

The Council discussed the state of play in Haiti and the EU's continued coordinated response to the earthquake. Commissioners Piebalgs and Georgieva briefed the Council on the developments on the ground and on their plans for further assistance. The High Representative announced that she would visit Haiti in the near future.

The High Representative stressed in particular the need to shift to the provision of shelter, with the approach of the rainy season, followed by the hurricane season. A million Haitians are still homeless, of whom 100,000 are in urgent need of shelter. Looking ahead to the international donors conference to be held at the end of March in New York, the Council stressed the need for a comprehensive EU response in support of the reconstruction and development effort in Haiti – over which the Haitian government must have full ownership – and the High Representative spoke of the need for 'something like a Marshall Plan'.

When the earthquake struck on 12 January the EU immediately mobilised search and rescue teams and earmarked some EUR 400 million for urgent humanitarian assistance, reconstruction and longer-term development. At the 25 January Council, the EU set up a coordination cell – EUCO Haiti – to coordinate the EU Member States' provision of military and security assets for the relief and reconstruction effort in Haiti. Some 1,600 troops from a number of EU Member States, including Italy, Spain and France, are now on the ground in Haiti, helping with tasks such as clearing rubble, distributing drinking water, providing transport, and, in particular, providing shelter.

The 25 January Council also announced that the EU Member States would collectively contribute some 300 police personnel to reinforce the UN Mission in Haiti (MINUSTAH). Most of them have already arrived and are helping to keep public order in Haiti.

Iran

Ministers held a discussion on the political and human rights situation in Iran and on the Iranian nuclear issue, against the background of President Ahmadinejad's recent announcement that Iran would further enrich uranium to the level of 20 per cent, which would be a significant step towards producing weapons-grade uranium.

The Union remains committed to the international community's dual-track approach of considering further restrictive measures against Iran unless it responds favourably to the

international community's offer of engagement, whilst at the same time being ready to seek a negotiated solution with Iran.

In line with the December 2009 European Council declaration and given the lack of a satisfactory response by Iran to the international community's offer of engagement and its failure to respect its international obligations, the Council is reflecting on the measures that could be taken to accompany the UN-led process of moving towards additional measures.

Zimbabwe – Council conclusions

The Council adopted the following conclusions (6819/10):

1. The Council emphasises its readiness to work closely with the Government of National Unity in Zimbabwe in addressing the challenges the country faces and in the implementation of its commitments as set out in the Global Political Agreement of September 2008.
2. The Council recognises the Government of Zimbabwe's ongoing efforts to implement the GPA, and the progress achieved after one year in office, in particular in the economic sphere. The Council welcomes agreement on 21 December 2009 by the signatories of the GPA to establish the Commissions on Human Rights, Electoral Affairs and Constitutional Reform. The EU is actively supporting the GPA implementation through a specific cooperation programme.
3. Nevertheless, the Council notes with concern insufficient progress with regard to the rule of law, respect for human rights, constitutional reforms, power sharing on equal terms, national reconciliation, security sector reform and the protection of investors.
4. In light of the above, the Council has decided to revise and extend for another year appropriate and restrictive measures. Nevertheless, it stands ready to keep them under constant review and to revoke them in response to further concrete developments in the implementation of the GPA.
5. The Council reaffirms its commitment to a successful political dialogue. The launch of the Article 8 Political Dialogue in Brussels on 18 June 2009 and the EU troika visit to Zimbabwe in September 2009 were important steps in the process of normalisation of EU-Zimbabwe relations. The Council calls for regular and timely continuation.
6. The Council welcomes the recent handing over of the Global Political Agreement Commitment Plan by the Government of Zimbabwe as it constitutes a basis for a continued Political Dialogue.
7. The Council also welcomes the intensified regional diplomacy and encourages the SADC, the AU and States in the region to continue to make all efforts to create a constructive environment in which issues outstanding can be resolved.
8. The European Union remains the largest provider of assistance to Zimbabwe in particular through its transitional support for agriculture and food security, social sectors, including health and education, and for GPA implementation. The EU disbursed 274 million Euros in Zimbabwe in 2009.'

CHAPTER 8

EU-Morocco Summit – Joint Statement

Brussels, 7 March 2010

The European Union-Morocco Summit was held in Granada (Spain) on 7 March 2010 at the invitation of the Prime Minister of Spain, Mr José Luis Rodríguez Zapatero. The European Union (EU) was represented by Mr Herman Van Rompuy, President of the European Council, and Mr José Manuel Durão Barroso, President of the European Commission. The Kingdom of Morocco was represented by the Prime Minister, Mr Abbas el Fassi.

This summit between the EU and Morocco constitutes an unprecedented event for both parties. It is the first summit between the EU and a Mediterranean partner country since the entry into force of the Treaty of Lisbon, a Treaty which offers new prospects for distinctive relations with EU partners. It bears witness to the pioneering and distinctive nature of the EU-Morocco partnership. It illustrates the degree of maturity and confidence attained in the political dialogue and highlights the strategic importance of the EU-Morocco partnership.

The summit caps an intense period of acceleration in EU-Morocco relations, initiated by the entry into force of the Association Agreement in March 2000 and strengthened by the establishment of the European Neighbourhood Policy Action Plan in July 2005 and by the adoption of the joint document on advanced status at the meeting of the Association Council in October 2008.

This partnership is the embodiment of an intense process of dialogue covering all political, economic, social and human domains and reflects both parties' aspirations to consolidate the distinctive nature of their partnership.

Noting that Morocco has made its rapprochement with the EU a fundamental political choice, both Parties agree that advanced status is an important stage in that rapprochement and that, in line with the purpose and principles of the European Neighbourhood Policy (ENP), they will continue the process of reflection on the nature and form of the contractual relationship to replace the Association Agreement.

I. The European Union and Morocco: partners in a global world

The EU and Morocco have the same desire to construct their partnership in the field of foreign relations on the basis of their adherence to the shared values of democracy, the rule of law and human rights. Their common desire and ambition are evidence of their shared vision in responding to the many regional and global challenges.

Morocco and the EU emphasise that this Summit is part of an ambitious move to deepen relations between the two shores of the Mediterranean in order to make the region an area of stability, peace and shared prosperity.

The Parties reviewed the main regional and international issues.

Morocco and the EU fully support the efforts being made by the United Nations Security Council, the Secretary-General and his Personal Envoy to Western Sahara to find a definitive, lasting and mutually acceptable solution. They express their support for the current negotiating process, in the context of the Security Council directives, particularly Resolution 1871 (2009). They stress the role and the responsibility of all parties concerned in this respect.

With regard to the Maghreb, highlighting the strategic, political and economic importance of the Arab Maghreb Union (AMU) as a framework for cooperation in the face of the many challenges facing its five Member States, the EU and Morocco stress their particular attachment to integration in the Maghreb region and regret the difficulties it is encountering. The two Parties agree on the need to accelerate integration in the Maghreb region via a responsible and constructive dialogue between the members of the AMU on the basis of the principles enshrined in the Treaty establishing the AMU which was signed in Marrakech on 17 February 1989. The Parties call for advantage to be taken, in this connection, of the positive dynamic which has recently developed in bilateral relations between certain countries in the region and the initiatives promoted by the private sector.

Both Parties reaffirm their support for the dialogue between the EU and the AMU and express a desire to see the EU-AMU concertation process begun in Rabat in January 2008 continue. The parties also recall the useful role played by the 5+5 initiative.

Both Parties reiterate their commitment to consolidating the stability and prosperity of the Euro-Mediterranean area and promoting the values of concertation, solidarity and complementarity, particularly in the context of the Union for the Mediterranean (UfM).

The EU and Morocco welcome the appointment of the Secretary-General and the establishment of the UfM Secretariat. They will cooperate to ensure the success of the UfM summit to be held in Barcelona in June 2010. They welcome the holding of the ministerial conference on strengthening the role of women in society in Marrakech on 11 and 12 November 2009.

Aware of the important role of non-State actors in implementing the objectives of the UfM, Morocco and the EU commend the active contribution made by the Euro-Mediterranean Parliamentary Assembly (EMPA) and the Anna Lindh Foundation to cross-cultural dialogue in the Euro-Mediterranean Partnership. They welcome the creation of the Euro-Mediterranean Regional and Local Assembly (ARLEM), which will bring added value to cooperation in the region. The Parties also welcome the appointment of a Moroccan elected representative to the co-presidency.

With regard to the Middle East peace process, the EU and Morocco agree that there is an urgent need to achieve a comprehensive, just and lasting settlement of the Arab-Israeli conflict. They encourage the Parties to participate actively in credible negotiations on all subjects relating to final status with a view to implementing the two-state solution on the basis of the 1967 borders. Morocco and the EU call on the Parties to abstain from any unilateral measure which would jeopardise the chances of a definitive solution to the conflict, particularly settlements. They also stress the need to provide political and economic support for the Palestinian Authority and to ensure that the common heritage and the identity of the city of Jerusalem are protected and respected.

The EU welcomes the constructive and conciliatory efforts which have been made by His Majesty King Mohammed VI, Chairman of the Al-Quds Committee, with regard to the question

of Jerusalem, and his role in and commitment to promoting tolerance, mutual understanding, peace and stability in the region.

Both Parties stress that the African continent remains at the centre of their common concern and agree to pursue their commitment, particularly in the framework of the Africa-EU Strategy and Action Plan, to stability, development, the promotion of human rights, democracy and good governance, and the development of investment and economic growth.

They stress the active part played by Morocco in the Africa-EU common strategy, in particular on climate change and strengthening cooperation in the field of peace and security. The EU and Morocco will actively cooperate to improve the structures for implementing the Africa-EU strategy and, where appropriate, renew the action plan with a view to the Third Africa-EU summit to be held in the second half of 2010. They also point to the measures taken to lay the foundations of a partnership of solidarity between African Atlantic countries.

The precariousness of the situation in the Sahel region and the many associated challenges show the need for increased regional cooperation and an integrated approach in the fields of security and development. Morocco and the EU consider that the Sahel is a priority zone for action to combat terrorism and radicalisation. Cooperation must be developed between the EU, Morocco and the other countries in the Sahel-Saharan region to take effective action against the threats to security which hang over the region.

With regard to migration, Morocco and the EU agree to reinforce the mechanisms for cooperation between the countries of origin, transit and destination by pursuing the dialogue between the two Parties and supporting the process of reinforcing the capacity of the parties concerned to combat illegal immigration, promote legal migration, optimise the contribution of migrants to development and deal with the underlying causes of migration. Such a comprehensive and balanced approach to migration issues, also involving cooperation on the return and readmission of illegal immigrants, must constitute a fundamental element of the EU-Morocco partnership. Morocco and the EU welcome the achievements of the Euro-African process on migration and development launched in Rabat in July 2006 and reinforced in Paris in November 2008, a process in which Morocco played a leading role.

The EU and Morocco reaffirmed their attachment to respect for and protection and promotion of human rights and fundamental freedoms, and the consolidation of the rule of law, democracy and good governance, which are one of the fundamental pillars of the EU-Morocco partnership. The EU welcomes the reforms in this regard undertaken by Morocco in recent years, while stressing the importance of pursuing this process of legislative, political and institutional reform, particularly in matters of justice, freedom of expression, press freedom and freedom of association. The EU and Morocco consider that implementation of all the recommendations made by the Justice and Reconciliation Commission ('Instance Équité et Réconciliation' (IER)) will enable Morocco to consolidate the work accomplished and make progress in consolidating respect for and promotion of human rights, and they welcome, in this connection, the publication of the report from the Advisory Committee on Human Rights in December 2009 on the implementation of those recommendations.

The EU and Morocco expressed their support for an effective multilateral international system, based on the United Nations, as a key element in responding to global challenges.

With regard to the Alliance of Civilizations, Morocco and the EU confirmed their commitment to freedom of religion and belief, tolerance and the peaceful coexistence of different cultures. On the basis of those principles, they clearly reaffirmed their rejection of all forms of extremism, discrimination and xenophobia. The EU and Morocco support the UN's efforts to promote cross-cultural dialogue and support the Alliance of Civilizations initiative in its philosophy and

its approach which is to encourage operational projects and the involvement of civil society, NGOs and universities in cultural diversity.

The EU and Morocco share a desire to seek peaceful solutions to conflicts. The European Union welcomes the strong interest being shown by Morocco in the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP). The Parties welcome Morocco's participation in peace-keeping operations, particularly the EU's operation ALTHEA in Bosnia and Herzegovina which was an important signal of Morocco's practical support for the development of the CSDP.

The EU and Morocco underlined that climate change is one of the greatest global challenges, with a particular impact on the Mediterranean and African regions. Both Parties acknowledge the importance of the Copenhagen Accord and the need to support it, to intensify the international commitments already made in this area and to continue to work towards securing a legally binding agreement within the framework of the United Nations.

The EU welcomes Morocco's environmental policy initiatives, particularly its decision to adopt a national environment and sustainable development charter.

Both parties reaffirm their desire to counter the negative impact of the economic and financial crisis. The EU and Morocco are committed to taking coordinated action to adopt effective measures in the field of economic and financial policy in order to re-establish confidence in the markets, in line with international commitments, and – on the basis of the G20 guidelines – to conduct a dialogue on exit strategies.

(...)

CHAPTER 9

Catherine Ashton – European Parliament

Strasbourg, 10 March 2010

Address by HR Catherine Ashton at the joint debate on Foreign and Security Policy – European Parliament Plenary

I am delighted to be with you to discuss the big questions on Europe's international agenda. Let me begin by thanking Mr. Albertini and Mr. Danjean for their excellent reports. You have underlined the number, range and urgency of the challenges we face.

From strengthening the rule of law in Kosovo to working with the emerging powers to share responsibility for global governance. From promoting peace in the Middle East – and I join US Vice President Joe Biden in condemning the Israeli decision to build 1600 new houses in East Jerusalem –, to providing shelter to the surviving victims of Haiti's earthquake. From dealing with proliferation problems such as Iran, to devising effective answers to 'new' challenges such as energy, climate and cyber-security.

Europe is going through a phase of building something new. Where people have to adjust their mental maps and institutions have to find their new place. Doing so is messy and complicated. But also exciting. For it is impossible to overstate just how important this moment is.

Right now we have a chance to build what many across Europe – and many in this House – have long wanted: a stronger, more credible European foreign policy. Of course the European External Action Service will be key to deliver this. We have to build a system that is robust; that will enable us to deal better with the problems of today and new problems that will arise tomorrow.

For years, we have been trying to frame and implement comprehensive strategies. But the structures and systems we had, made this difficult. With the Lisbon Treaty and the EEAS we should be able to achieve this.

At the heart of everything we do lies a simple truth: to protect our interests and promote our values we must be engaged abroad. No one can hope to be an island of stability and prosperity in a sea of insecurity and injustice. Ours is a world in flux. To engage with it effectively, we need to frame it first. To me the two most striking features of today's world are:

Deep interdependence – in political, economic and security terms. Technologies, ideas, diseases, money: everything moves. We are connected in ways we have never been before.

The fact that power is shifting. Both within political systems – roughly from governments to markets, media and NGOs. And between political systems – roughly from the old ‘West’ to both East and South.

Both are the outcome of globalisation which is not just an economic but also a political phenomenon – both in its manifestations and in its consequences.

Think of the rise of China and others as major political players. Or consider the political impact of the financial crisis. The debts are in the West; the surpluses in the East. And this re-distribution of financial power is shaping political discussions.

Or consider climate change – which is not just an environmental problem but also one with security and geopolitical ramifications.

So we have to deal with complex problems and do so in a new geopolitical landscape. We need to adapt. This is not a time for flying on autopilot. Or for sticking to the narrow defence of national ways of doing things. This is a time to be smart and ambitious.

Let me give you some figures to illustrate the point. Europe’s share of the world’s population is 7%, down from 25% a century ago. In the last 60 years, our share of global GDP has shrunk from 28% to 21%. The economies of China, India and others are racing ahead at 10% per year. Economic weight is translating into political clout and self-confidence. You feel it everywhere: from negotiations on climate change to Iran, to big energy deals in Africa or Central Asia. If we pull together we can safeguard our interests. If not, others will make decisions for us. It really is that simple.

My preference is clear. We should respond, as Europeans.

First, by pulling together. Because unity is a precondition for influence. Second, by taking action. Because the answer to a problem cannot be a paper or a meeting. If you want results, you have to act and sometimes take risks. And Yes there is a tendency in Europe to put process ahead of outcomes. Third, by being both principled and creative. Because we must be both. Principled in the defence of our values. And creative in how we forge bespoke solutions to complex problems.

As Mr. Albertini’s report rightly points out: ‘a new approach is needed if the EU is to act collectively and meet the global challenges in a coherent, consistent and efficient manner’. Out of this general picture come several core objectives:

First, to ensure greater stability and security in our neighbourhood, by promoting political and economic reforms. This is important in itself for reasons which are self-evident. But our wider international credibility also depends on getting the neighbourhood right.

Second, to address the global security challenges of our time. For this, we need comprehensive strategies, strong international organisations and the rule of law. Both within countries and between them. Third, to build a network of strategic relations with key countries and organisations – because the problems we face cannot be solved by any single actor.

On top of all this comes the creation of the European External Action Service. This is both a means to achieve the other three objectives and a way to deliver on the promise of the Lisbon Treaty.

Since taking office, I have devoted all my time to these core tasks. I first went to Washington and New York which was the right way to start given how important our relations with the US and UN are. I have since been to Moscow, Kiev, the Balkans and Haiti. And I will go to the Middle East next week and again to New York at the end of the month. In between, I have chaired the Foreign Affairs Council three times, attended the informal European Council plus several meetings of the College. And I have worked hard to build the necessary internal EU consensus, visiting various capitals: Berlin, Paris, London, Vienna and Ljubljana.

Naturally, I have spent a significant amount of time on the creation of the EEAS. This will continue in the weeks ahead, including with you in the European Parliament. I know there is keen interest in the House in the EEAS. That is why I have ensured involvement from the EP in the High Level Group. I will discuss it this afternoon in the Conference of Presidents. And when I will come to the Foreign Affairs Committee on 23 March we will have an opportunity to have an in-depth exchange in the presence of all relevant committees.

Any time you create something new, there will be resistance. Some prefer to minimise perceived losses rather than maximise collective gains. I see it differently. And I hope this Parliament does too. This is a once-in-a-generation opportunity to build something that finally brings together all the instruments of our engagement in support of a single political strategy.

This is huge chance for Europe. We should not lower our ambitions but rather give ourselves the means to realise them. This is a moment to see the big picture, be creative and take collective responsibility.

If we get it right, as we must, then we will be able to shape a European foreign policy for the 21st century with an external service designed to achieve that. One where we mobilise all our levers of influence – political, economic, development and crisis management tools – in a co-ordinated way. A service that is representative of the EU in geographic and gender terms. It is the only acceptable way to go.

Let me illustrate what I have in mind when I say ‘comprehensive approach’ with a couple of examples:

The Western Balkans. I was pleased to travel to the region recently. In a way, the Balkans is the birthplace of EU foreign policy. More than anywhere else, it is where we cannot afford to fail. My aim was to establish good working relations with political leaders; engage with civil society about what belonging to Europe could mean; and ensure coordination among the different EU actors on the ground.

One conclusion I drew is that the region is making progress – even if it is uneven and incomplete. The European perspective remains the overarching framework – both as our objective and as the main incentive for reform.

As I stressed everywhere: progress on the path to the EU depends on the commitment to reform at home. On human rights, the rule of law and regional cooperation. We are backing up our strategy with all available foreign-policy tools. In Kosovo we have our biggest civilian mission – and it’s a success. In Bosnia we have adjusted ALTHEA as the situation has stabilised and are developing a training programme. And we are pushing the European message hard in the run-up to the October elections. Throughout the region we are making progress on visa liberalization and people-to-people contact. So our Balkan strategy is what it should be: strategic in its objectives, multifaceted in terms of instruments and tailor-made in terms of implementation.

The Horn of Africa is another good example. It highlights the interplay of state fragility, poverty, resource competition including water, with piracy, terrorism and organised crime. The only possible answer is a comprehensive one. Which is exactly what we are doing. Our naval operation Atalanta has been widely hailed as a success. One next step is to further develop our options for the transfer of suspected pirates for prosecution in the region. We are also adding a training mission for the TFG in Somalia, with deployment expected in the Spring. Through the Stability Instrument we are funding flanking measures such as capacity building and training for maritime authorities while also moving ahead with longer-term development work in Yemen and Somalia on poverty, literacy and health.

The way we are engaged in Georgia follows the same script. When a frozen conflict erupted into open conflict in August 2008, the European Union responded immediately. We took the

international lead, brokered a truce and deployed a 300-strong monitoring mission in record time. Since then, we are engaged across the spectrum of community and CSDP means to prevent a return to violence and build stability in Georgia and the region. With the UN and OSCE, we lead the Geneva talks, the only forum where all concerned meet.

We hosted a donors' conference for reconstruction and economic support for Georgia. We also included Georgia – together with Armenia and Azerbaijan – into the European Neighbourhood Policy, and continue to promote reforms and closer EU ties as a key element of regional stability. We work on trade and visa liberalisation. And we support confidence building measures to re-build ties with the breakaway republics. There is more work to do in Georgia, and we have a full agenda when we discuss it with Russia, as I did only ten days ago with Sergey Lavrov. In this case we demonstrated what the EU can do when we fully mobilise the resources we have. Those involved in these hectic weeks have told me, however, that what was done in this case was exceptional. So we need stronger structures, more flexibility and better preparedness if we want Georgia to be the benchmark for the future.

Let me now move on to our Common Security and Defence Policy.

I agree with the broad thrust of the Danjean report. About how important our missions are. They save lives. They create the space for functioning politics to work. And they mean that Europe can draw on all instruments of power to meet its responsibilities.

It is striking how far we have come in the last ten years. More than 70,000 men and women have been deployed in this period in more than 20 missions. We do crisis management the European way. With a comprehensive approach. In support of international law and agreements. And in close cooperation with key partners.

We work well with NATO together in Bosnia and Herzegovina and along the coast of Somalia. In Kosovo and Afghanistan it is more difficult due to well-known political problems. We need to get this right. I am working with the NATO Secretary General to improve EUNATO relations in practical areas and set a positive climate. Let's see how we can develop our relations pragmatically.

The UN is another key partner. There are many good examples of the EU and UN cooperating on the ground such as Democratic Republic of Congo, Chad and indeed Kosovo. In recent years, we have got to know each other better. But we can and should strengthen this by focusing on areas such as planning and sharing of best practice.

In the Danjean report, and more widely, people raise the question whether the EU should have its own permanent operations HQ. This is a serious issue that deserves a serious debate. No one contests the need for an HQ, able to plan and conduct military operations. The question is whether the current system, relying on SHAPE or national HQs, is the most efficient way or whether we need something else. People often approach this question in terms of structures. I think we should first analyse what functions need to be performed.

From that, decisions on structures should flow. I see three main functions:

The ability to plan and conduct military operations, including advance planning, to be able to react quickly when there is a need;

The ability to develop civilian-military co-ordination in a more structured way, to maximise our capacity to link the various instruments; and

The ability to establish links with other actors, to optimise the overall coordination among different actors – or what we loosely call the 'International Community'.

If we use an analysis of these functions as the starting point for our discussions we should be able to establish the necessary common ground among Member States.

The Danjean report also calls for the establishment of a Defence Council. This idea too has been around for some time. The next meeting in April will follow established practice. But at the informal meeting of Defence Ministers in Palma de Mallorca, a consensus emerged based on my proposals to hold Foreign Affairs Councils in Minister of Defence formation. This would enable Defence Ministers to take decisions, for instance on capabilities development.

My last point in this block relates to the suggestion of a civil protection force. Let us start with the Haiti lessons learned exercise now underway. Then let us apply the Lisbon spirit and see what options we have to mobilise assets of Member States together with EU instruments to support either the UN and OCHA or act as EU. The watchwords ought to be: maximising synergies and avoiding 'hard' or artificial splits between how we handle EU internal and external crises.

Let me, finally, turn to the issue of non-proliferation, given your oral questions. Let me mention the two most significant items:

First, the NPT Review Conference scheduled for May in New York. I intend to participate with the aim that we as EU do our bit to get a successful outcome.

We should make no mistake: the entire treaty-based non-proliferation system with the NPT as a corner-stone is under growing pressure. To respond we should be ready to make our contribution

- on access to the peaceful uses of nuclear energy, in particular for developing countries, while avoiding proliferation risks. This includes work on multilateral nuclear fuel cycle approaches. I note that 84 countries which have benefited from EU assistance projects.
- with progress on nuclear disarmament. Politically, this is fundamental to create a constructive atmosphere.
- by addressing regional proliferation crises, in particular the Iranian case, which has the potential to derail the Conference.

As you know, the EU is leading efforts to find a diplomatic solution. We fully support the UNSC process on further restrictive measures if, as is the case today, Iran continues to ignore its obligations.

Secondly, there is President Obama's Nuclear Security Summit. We share the goal of this Summit namely to strengthen the security of nuclear materials and prevent terrorists from getting access. I recall that since 2004, the EU has been providing support to the IAEA to assist countries in this area – and we will continue to do so.

Let me come back to where I started. The demand for European global engagement is huge. We must ensure that supplies match that demand. The Lisbon Treaty gives us the chance. We should act in line with both the letter and spirit of the Treaty, remembering why European leaders negotiated the Treaty in the first place.

The reason was clear: to build a stronger, more assertive and self-confident European foreign policy. I know many in this House share this goal. And that is why I count on your support to make it happen.

CHAPTER 10

Middle East Peace Process – Declaration by Catherine Ashton

Brussels, 10 March 2010

Declaration by HR Ashton on behalf of the European Union on the decision by the Government of Israel to build new housing units in East Jerusalem

The EU condemns the decision by the Government of Israel to build new housing units in East Jerusalem. Israel should reverse this decision. The EU calls upon the Israeli authorities to fulfil all their commitments and obligations vis-à-vis the peace process and to refrain from unilateral decisions and actions that may jeopardize the final status negotiations. The European Union reiterates that settlements are illegal under international law. They undermine current efforts for restarting peace negotiations, constitute an obstacle to peace and threaten to make a two-state solution impossible.

CHAPTER 11

Georgia – Declaration by Catherine Ashton

Brussels, 11 March 2010

Declaration by HR Ashton on behalf of the EU on the Georgian strategy on Abkhazia and South Ossetia

The European Union takes note of Georgia's 'State Strategy on Occupied Territories: Engagement through Cooperation', endorsed by the Georgian government on 27 January. The EU welcomes Georgia's commitment to solving the conflict only through peaceful means and diplomatic efforts. The EU welcomes the spirit of the initiative as a constructive step towards easing tensions, building confidence and reaching out to the residents of the Abkhaz and South Ossetian regions.

We encourage the Georgian government to conduct consultations with all stakeholders regarding the preparation of an action plan on the implementation of the strategy. The EU welcomes Georgia's intention to elaborate a status-neutral framework for interaction with authorities in control of Abkhazia and South Ossetia, and calls upon all parties to establish it as soon as possible. A key priority for Georgia will be to ensure that the relevant legislative and administrative framework, including the Law on Occupied Territories and its implementation, is being brought in line with the opinions presented by the Venice Commission on this matter.

Finally, the EU reiterates its firm support for the security and stability of Georgia, based on full respect for the principles of independence, sovereignty and territorial integrity recognized by international law.

The Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova and Azerbaijan align themselves with this declaration.

* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

CHAPTER 12

Exchange of young officers – European Initiative

Brussels, 11 March 2010

Towards a European Security and Defence Culture: the European initiative for the exchange of young officers, inspired by Erasmus, picks up speed

On 10 March, two important milestones were reached in the implementation of the European Initiative for the exchange of young officers, inspired by Erasmus, better known as 'Erasmus militaire'. First of all a standard framework arrangement was agreed in the European Security and Defence College (ESDC) upon that Member States can use when they exchange young officers for training. This diminishes the administrative burden that normally comes when sending military to another country.

Secondly, a credit transfer system was officially put in place that allows Member States to recognise more easily the efforts made by a student when he is on an exchange. This system can best be compared with the European credit transfer and accumulation system (ECTS), that civilian universities use for their exchange programmes. As a result, the objective is that young cadets who follow an education in another EU Member State will no longer have to take the same training in their own country.

With these two cornerstones in place, the initiative takes a major step towards its goals: not only increasing the number of exchanges of young cadets so that they are on a par with their civilian counterparts, but making sure that these exchanges are useful for both the cadet and his home Member State. This will strengthen the interoperability of the armed forces and promote a European security and defence culture.

Background

Launched by a decision of the Council of the EU in November 2008, this initiative (see in annex), better known as 'Erasmus militaire', aims at creating more and better opportunities for young students of the military training institutes of the Member States to meet and learn together, thus improving their common understanding of the work of the European Union and of each other. Although military universities can and do actively participate in the Bologna Process (the process of creating the European higher education area, based on cooperation between ministries, higher education institutions, students and staff from 46 countries, with the participation of

international organisations) and in the Commission-funded Erasmus programme for their academic exchanges, there was still a lack of significant exchange opportunities in professional training. The implementation of this initiative was put in the hands of the European Security and Defence College. A group of specialists from all 27 Member States started work almost immediately. (...)

Statement on the European young officers exchange scheme, modelled on Erasmus

1. The Council has agreed to adopt the European young officers exchange scheme, modelled on Erasmus¹.
2. The scheme is intended to strengthen the interoperability of the armed forces and promote a European security and defence culture.
3. The ability of the European armed forces to work together has become a determining factor in preparing and conducting increasingly complex multinational military operations. It entails increased cooperation between Member States in the field of officer training.
4. The scheme will provide European officers with an opportunity to undergo part of their training, from the initial training stage, in another Member State. It will thus promote the mobility of students and teaching staff of military training colleges and facilitate shared approaches to the training of young European officers, in particular in the field of the ESDP.
5. The Member States have therefore agreed on a number of practical measures, set out in the Annex hereto, for encouraging and facilitating exchanges between their national training colleges, with assistance from the European Security and Defence College. These measures will be implemented at both European and national level. They will be based on existing bilateral and multilateral exchanges.

The European young officers exchange scheme, modelled on Erasmus, will be implemented on a national and voluntary basis, with due regard for each Member State's decision-making autonomy and specific characteristics in the field of training.

The Secretary-General/High Representative will draw up a report on the implementation of the scheme and will submit it to the Council as soon as possible in 2009.

Annexe – Practical implementation measures

I. Measures at European level

1. Measures common to the three components of initial officer training (academic education, 'basic military training' and professional training)²
 - a. Compare the training offered by the various colleges on the basis of national indicative lists of skills.

1. Erasmus is the strand of the European Union Lifelong Learning Programme devoted to higher education.

2. 'The officer's training/education starts after recruitment and includes vocational training and academic training up to and including Master's Degrees (if included in the initial training)' (Stocktaking of existing exchanges and exchange programmes of national military officers during their initial education and training, 12843/08, 9 September 2008).

- b. Create an IT platform:
 - containing national military colleges' training curricula, for ease of identification and comparison of training;
 - allowing national military training colleges to offer and request places on officer exchanges.
- c. Identify ways of dealing with administrative, legal and other obstacles to exchanges.
- 2. Academic component of initial officer training
- d. Develop training modules on international issues (academic component of officer training). A training module on the EDSP is now available. Training modules should be developed in other areas relating to international security. These training modules will be made available to national military colleges.
- e. Make it easier for national military colleges to access and use the Internet-Based Advanced Distance Learning (IDL) system, which is being developed by the European Security and Defence College (ESDC), to enlarge the scope of available teaching material.
- 3. 'Basic military training' and professional components of initial officer training
- f. Develop an equivalence system for the military components of initial officer training. The implementing working party will examine the possibility of using the European Credit Transfer System (ECTS) which also covers the academic component of initial officer training.
- g. Draw on the Erasmus programme to establish mechanisms to promote officer exchanges.

II. Measures at national level

- a. Encourage Member States and their national military training colleges to make full use of the instruments and measures offered by the Bologna process.
- b. Encourage national military training colleges to increase the mobility of military students and teaching staff among the Member States.
- c. Encourage Member States to recognise the training which their officers have received at establishments in other EU Member States.
- d. Encourage the teaching of EU languages, in particular the teaching of a second foreign language, in order to extend the range of potential exchanges.

III. Implementation of measures

- a. A working party will be set up to implement the measures at European level and contribute to the implementation of measures at national level. That working party will also contribute, more generally, to promoting exchanges of officers during initial training within the European Union. It may supplement the measures set out in this document.
- b. The working party will base its proceedings on the principles set out in the Ministerial Statement. This implementing working party will comprise representatives appointed by the Member States wishing to take part in it.
- c. The implementing working party will meet within the framework of the Executive Academic Board of the ESDC in order to benefit from the network already established within that framework.
- d. The database will be administered by the ESDC Secretariat and receive input from the Member States and their training colleges.
- e. Implementation of the measures will begin after the adoption by the Council (Ministers for Defence), on 10 November 2008, of the Statement officially adopting the European young officers exchange scheme, modelled on Erasmus.

CHAPTER 13

Middle East Peace Process – Quartet Statement

12 March 2010

The following statement was issued today by the Middle East Quartet (United Nations, European Union, Russian Federation, and the United States):

The Quartet condemns Israel's decision to advance planning for new housing units in East Jerusalem. The Quartet has agreed to closely monitor developments in Jerusalem and to keep under consideration additional steps that may be required to address the situation on the ground.

The Quartet re-affirms that unilateral actions taken by either party cannot prejudge the outcome of negotiations and will not be recognized by the international community. The Quartet reiterates that Arab-Israeli peace and the establishment of an independent, contiguous and viable state of Palestine is in the fundamental interests of the parties, of all states in the region, and of the international community. In this regard, the Quartet calls on all concerned to support the urgent resumption of dialogue between the parties and to promote an atmosphere that is conducive to successful negotiations to resolve all outstanding issues of the conflict, including the status of Jerusalem.

The Quartet will take full stock of the situation at its meeting in Moscow on March 19.

CHAPTER 14

Catherine Ashton – Speech at the League of Arab States

Cairo, 15 March 2010

A commitment to peace – the European Union and the Middle East

I am delighted to be in Egypt and to give this speech in Cairo, the ‘Victorious City’, right at the beginning of my trip to the Middle East. Egypt is a key partner in the region and so it is fitting that I start here.

I have come to the region early in my mandate, as I want to underline the great importance the European Union attaches to the wider Mediterranean and Arab world.

I am especially pleased to be here at the headquarters of the Arab League. For Europe and the Arab world share a common history and, I believe, a common destiny.

Our relations go back a long way. The footprints of your culture are scattered throughout Europe: literature and science, words and music, and of course our food.

We understand each other well. We know our respective strengths and weaknesses. We are inextricably tied together. And we know that our future path lies in co-operation and mutual understanding.

A good example of our ability to cooperate is our work through the European Neighbourhood Policy. We have developed multiple programmes and structures that are shaping a better future for our peoples. A future centred around sustainable development, education and integration into the new world economic system.

I would also like to highlight the Union for the Mediterranean, co-chaired by Egypt, and mention our growing co-operation with the Arab League, with programmes that are aimed at bringing us closer together.

We want to make a difference on the ground and to engage our citizens through tangible projects in key areas such as the decontamination of the Mediterranean or the Mediterranean solar energy plan.

These initiatives and many others are not bureaucratic exercises but the expression of our joint determination to face the challenges of our fast-changing world.

One of the key challenges that we remain deeply concerned about is Iranian unwillingness to engage in serious talks on the nuclear question.

There is respect in Europe for Iran as a country with an impressive history and sophisticated people. But there is also a deficit in trust when it comes to Iran’s nuclear activities.

Our double track approach remains valid and we stand ready for dialogue. But the EU also fully supports the UN Security Council process on additional measures if, as is the case today, Iran continues to refuse to meet its international obligations.

Our position is based on the firm belief that an Iran with nuclear weapons risks triggering a proliferation cascade throughout the Middle East. This is the last thing that this region needs. A nuclear weapons free Middle East remains a European goal.

As you know, the primary purpose of my visit is to show the continued importance that the European Union attaches to the resolution of the Arab-Israeli conflict. This is a vital European interest and is central to the solution of other problems in the region.

This region does not need more conflict. It needs peace. Peace based on international law. Peace now because any delay will only make it harder to achieve.

Solving the conflict would herald a new era for the Middle East, opening up many possibilities for regional integration and international cooperation.

My message to you today is that by working together, with determination and partnership there can be peace. A comprehensive peace, including Syria, Lebanon and the implementation of the offer in the Arab Peace Initiative. A deal that provides sustainable security for everyone.

We know that peace is about more than signing agreements on borders and security arrangements. It is about compromise and reconciliation; about co-operation across borders and shared security.

We must aim for a comprehensive peace in which all people in the region can share.

Everyone has to make their contribution and take their responsibility. As the European Union we have a firm commitment to the security of Israel; and we stand up for a deal that delivers justice, freedom and dignity to the Palestinians.

The parameters of a negotiated settlement are well known. A two-state solution with Israel and Palestine living side by side in peace and security.

Our aim is a viable State of Palestine in the West Bank including East Jerusalem and the Gaza strip, on the basis of the 1967 lines.

If there is to be a genuine peace a way must be found to resolve the status of Jerusalem as the future capital of Israel and Palestine. And we need a just solution of the refugee issue.

The possibility now before us of proximity talks could be the beginning of a new opportunity to find a solution.

But we have to be clear: talks not for the sake of talks. We want results and genuine commitment, not a restating of well-known positions. We need a process that leads to outcomes.

Recent Israeli decisions to build new housing units in East Jerusalem have endangered and undermined the tentative agreement to begin proximity talks.

The EU position on settlements is clear. Settlements are illegal, constitute an obstacle to peace and threaten to make a two-state solution impossible. A solution that the Israeli Prime Minister says he supports. He is right, and these talks are urgent.

Urgent because I fear for the future. Urgent, because Israel has a popular Prime Minister who owes it to his people to move to the solution he supports. Urgent, because the Palestinians, despite everything, and with your and our support, are willing to engage.

But there are many obstacles. The decision to list cultural and religious sites based in the occupied Palestinian territory as Israeli is counter-productive.

The blockade of Gaza is unacceptable. It has created enormous human suffering and greatly harms the potential to move forward.

I will travel to Gaza myself to meet with the population and at the same time assess how our support is working on the ground.

The Palestinians too of course have responsibilities. First however I want to commend President Abbas and Prime Minister Fayyad for showing us that they can build the institutions of a future Palestinian State.

But the Palestinians must get their house in order. Continued Palestinian divisions do not serve their interests.

The political and physical separation between Gaza and the West Bank is dangerous. Palestinian reconciliation is more crucial than ever.

The PLO must take its responsibilities in this regard, and face the challenge of renewal and reform.

The Arab world too has responsibilities. I congratulate the Arab League for taking the decision to support these talks despite the difficulties of which to are only too aware. As you know, the European Union is a strong supporter of the Arab Peace Initiative.

Europe is also ready to take its responsibility. The European Union will continue to support Palestinian institution building. But this must not come at the expense of the peace process.

Institution building must facilitate the peace process and not replace it. We are working in partnership with the Palestinian Authority to build the institutions they will need to have when the State is established.

The European Union is ready to step up its involvement by offering support in four areas.

Firstly, it is ready to support the parties in their negotiations. Our position was set out clearly in our statement of principles last December.

This could serve as the terms of reference for negotiations – for example, a Palestinian state on the 1967 lines with agreed changes, including with regard to Jerusalem.

Secondly, the European Union is ready to extend its package of assistance. Such a commitment, however, will not be open-ended. We expect to see urgent progress by the parties towards the creation of a Palestinian state, along the lines I have already mentioned.

Thirdly, the European Union is ready to consider providing further political, financial and security guarantees to facilitate the peace process.

For example we contribute to security missions in the occupied Palestinian territory, in the Sinai and in southern Lebanon. We are the largest single donor to the UN agency working with refugees. And we have a range of activities supporting civil society in East Jerusalem.

Last but not least, the EU wants to develop a closer partnership with those that are key to the talks, including with the United States and a reinvigorated Quartet.

The current level of mistrust and animosity between the parties is high. The euphoria that surrounded the Oslo accords has largely disappeared. Scepticism and doubt are all-pervading.

We want to work with all of the countries in this region to translate peace into genuine regional integration that brings more growth, more trade, more investment and more security and better standards of living for your citizens.

The international community including our Arab partners should offer guarantees to the parties so they can take the necessary steps towards peace. In this context, I would like to salute the leadership of Secretary General Amre Moussa in forging Arab unity on key regional issues.

When I leave the region I will head to Moscow for the Quartet meeting. This will be my first meeting and it is my ambition that these should be regular meetings designed to support and monitor the peace process.

We need to give impetus to frame strong terms of reference for the negotiations to set benchmarks for progress, and assess Roadmap compliance.

We know that active and impartial mediation will be essential. I believe that US efforts will be reinforced by support from Quartet partners and the Arab League's Follow-up Committee, and that we can help the process move forward. We need momentum if we are to succeed.

I believe we know the elements that will take us to a successful peace. We need to move from conflict management to conflict resolution, involving the whole region. I hope this week will see the beginning of proximity talks that will take us to negotiations and a settlement that will bring peace to the people of Palestine and Israel.

Peace is necessary, it is urgent and it is achievable. I am here standing before you to add the full weight of the European Union to reaching this goal

Thank you.

CHAPTER 15

Middle East Peace Process – Quartet Statement

Moscow, 19 March 2010

The Quartet – U.N. Secretary General Ban Ki-moon, Russian Foreign Minister Sergei Lavrov, U.S. Secretary of State Hillary Rodham Clinton, U.S. Special Envoy for Middle East Peace George Mitchell, and High Representative for Foreign Affairs and Security Policy of the European Union Catherine Ashton – met in Moscow on March 19, 2010. They were joined by Quartet Representative Tony Blair.

Reaffirming the fundamental principles laid down in its statement in Trieste on June 26, 2009, the Quartet welcomes the readiness to launch proximity talks between Israel and the Palestinians. The Quartet emphasizes that the circumstances which made it possible to agree to launch the proximity talks be respected. The proximity talks are an important step toward the resumption, without preconditions, of direct, bilateral negotiations that resolve all final status issues as previously agreed by the parties. The Quartet believes these negotiations should lead to a settlement, negotiated between the parties within 24 months, that ends the occupation which began in 1967 and results in the emergence of an independent, democratic, and viable Palestinian state living side by side in peace and security with Israel and its other neighbors. The Quartet reiterates that Arab-Israeli peace and the establishment of a peaceful state of Palestine in the West Bank and Gaza is in the fundamental interests of the parties, of all states in the region, and of the international community. In this regard, the Quartet calls on all states to support dialogue between the parties.

The Quartet reiterates its call on Israel and the Palestinians to act on the basis of international law and on their previous agreements and obligations – in particular adherence to the Roadmap, irrespective of reciprocity – to promote an environment conducive to successful negotiations and re-affirms that unilateral actions taken by either party cannot prejudice the outcome of negotiations and will not be recognized by the international community. The Quartet urges the government of Israel to freeze all settlement activity, including natural growth, dismantle outposts erected since March 2001; and to refrain from demolitions and evictions in East Jerusalem. The Quartet also calls on both sides to observe calm and restraint and to refrain from provocative actions and inflammatory rhetoric especially in areas of cultural and religious sensitivity. Noting the significant progress on security achieved by the Palestinian Authority in the West Bank the Quartet calls on the Palestinian Authority to continue to make every effort to improve law and order, to fight violent extremism, and to end incitement. The Quartet emphasizes the need to assist the Palestinian Authority in building its law enforcement capacity.

Recalling that the annexation of East Jerusalem is not recognized by the international community, the Quartet underscores that the status of Jerusalem is a permanent status issue that must be resolved through negotiations between the parties and condemns the decision by the government of Israel to advance planning for new housing units in East Jerusalem. The Quartet reaffirms its intention to closely monitor developments in Jerusalem and to keep under consideration additional steps that may be required to address the situation on the ground. The Quartet recognizes that Jerusalem is a deeply important issue for Israelis and Palestinians, and for Jews, Muslims, and

Christians and believes that through good faith negotiations the parties can mutually agree on an outcome that realizes the aspirations of both parties for Jerusalem, and safeguards its status for people around the world.

Recalling that transformative change on the ground is integral to peace, the Quartet continues to support the Palestinian Authority's plan of August 2009 for building the Palestinian state within 24 months as a demonstration of Palestinians' serious commitment to an independent state that provides good governance, opportunity, justice, and security for the Palestinian people from the first day that it is established and is a responsible neighbor to all states in the region. The Quartet takes positive note of Israel's steps to ease restrictions of movement in the West Bank and calls for further and sustained steps to facilitate the state building efforts of the Palestinian Authority. The Quartet endorses fully the efforts of the Quartet Representative in support of Prime Minister Fayyad's state-building and economic development program which has seen significant improvement in the Palestinian Authority's performance with respect to security and law and order and improved economic growth. The Quartet supports the Quartet Representative in his vital efforts to promote change on the ground in aid of the political negotiations.

The Quartet further calls on all states in the region and in the wider international community to match the Palestinian commitment to state-building by contributing immediate, concrete, and sustained support for the Palestinian Authority and, in this regard, looks forward to the upcoming meeting of the Ad Hoc Liaison Committee (AHLC) to coordinate international support for the Palestinian state building effort.

The Quartet is deeply concerned by the continuing deterioration in Gaza, including the humanitarian and human rights situation of the civilian population, and stresses the urgency of a durable resolution to the Gaza crisis. The Quartet calls for a solution that addresses Israel's legitimate security concerns, including an end to weapons smuggling into Gaza; promotes Palestinian unity based on the PLO commitments and the reunification of Gaza and the West Bank under the legitimate Palestinian Authority; and ensures the opening of the crossings to allow for the unimpeded flow of humanitarian aid, commercial goods, and persons to and from Gaza, consistent with UN Security Council Resolution 1860. The Quartet takes positive note that the Israeli government has just communicated its approval of a number of the UN Secretary General's civilian recovery projects, including a stalled housing project in Khan Younis and looks forward to their early implementation. The Quartet condemns yesterday's rocket fire from Gaza and calls for an immediate end to violence and terror and for calm to be respected. The Quartet reiterates its call for the immediate release of Israeli soldier Gilad Shalit. Recognizing the significance of the Arab Peace Initiative, the Quartet looks forward to closer cooperation with the parties and the Arab League and urges regional governments to support publicly the resumption of bilateral negotiations, enter into a structured regional dialogue on issues of common concern, and take steps to foster positive relations throughout the region in the context of progress towards comprehensive peace on the basis of UN Security Council Resolutions 242, 338, 1397, 1515, and 1850 and the Madrid principles, including through the conclusion of peace agreements between Israel and Syria and Israel and Lebanon.

The Quartet commits to remain actively involved on all tracks and to encourage and review progress. The Quartet commits to meet regularly and tasks the envoys to intensify their cooperation, to maintain contacts with the Arab League Committee on the Arab Peace Initiative, and to formulate recommendations for Quartet action.

The Quartet re-affirms its previous statements and supports, in consultation with the parties, an international conference in Moscow at the appropriate time concurrent with direct negotiations.

CHAPTER 16

Foreign Affairs Council

Brussels, 22 March 2010

EU position for the New York International Conference on Haiti

The Council was briefed by the High Representative and the Commissioner for International Cooperation, Humanitarian Aid and Crisis Response, Kristalina Georgieva, on their visit to Haiti on 2 and 3 March. It mandated the High Representative to represent the Union at the International Donors' Conference – Towards a New Future for Haiti in New York – on 31 March and present a common EU position providing an overview of the EU's collective effort and its support for Haiti's long-term reconstruction and development.

It adopted the following conclusions:

1. The Council expresses its support for the people of Haiti following the earthquake and underlines their ownership and central responsibility for determining their current and future priorities. Building on its swift and effective initial response the European Union will continue to assist them in addressing their humanitarian needs, including putting in place contingency measures in view of the upcoming rainy and hurricane seasons. Looking further ahead, the European Union stands ready to support a long-term plan over the next decade, led by the Government of Haiti, and in partnership with the international community, to support reconstruction and sustainable development in Haiti.
2. The Council supports the Government of Haiti's leadership with regard to recovery and reconstruction efforts and welcomes its intention to present its 'Plan d'action pour le relèvement et le développement national : les grands chantiers pour l'avenir' at the International Donors' Conference Towards a New Future for Haiti in New York on 31 March 2010.
3. The High Representative will represent the European Union in New York and set forth a common EU position with the following elements:
 - a) An overview over the EU's collective effort in providing humanitarian, civil protection and other emergency assistance since the earthquake, including military assets, and police support;
 - b) The expressions of solidarity coming from European citizens and civil society;
 - c) A common aggregated figure representing the overall EU commitment to the reconstruction of Haiti;
 - d) Support for a long-term plan that provides the basis for lasting inclusive economic growth and development in Haiti in the context of a joint EU approach linking relief to rehabilitation and development, underpinned by a commitment to joint programming to enhance aid effectiveness and promote an effective division of labour;

- e) An EU House in Haiti, where EU development capabilities could be co-located, to enhance EU coordination on the ground and support joint programming and to assist EU donors not present in Haiti.
4. The Council underlines the leadership of the Government of Haiti in donor coordination, sector coordination, and management of the overall reconstruction agenda and the importance of democratic governance. It also stresses the need to ensure adequate coordination with the UN, as well as with the World Bank, the Inter-American Development Bank, key bilateral donors, and other stakeholders including regional actors, in particular through an overarching country-led governance mechanism which also offers a forum for policy dialogue, donor coordination and consultation with the Haitian civil society.
5. The EU welcomes the consideration of implementation modalities such as a multi-donor trust fund to ensure support for long-term development priorities and ensure better coherence. Linked to its joint programming exercise, the EU will define its participation in different implementation bodies, based on an assessment of their effectiveness.
6. In the light of the commitment to joint programming referred to in paragraph 3(d), the Council welcomes the preparation of a joint EU Country Strategy Paper and a joint aid planning document for the EU¹ in order to permit the effective coordination of Community development funds and those of the Member States contributing to the effort to rehabilitate Haiti. These will be drawn up after the New York Conference on the basis of the Government of Haiti *'Plan d'action pour le relèvement et le développement national : les grands chantiers pour l'avenir'*, underpinned by the full Post-Disaster Needs Assessment, in consultation with the Government of Haiti and relevant stakeholders.

* * *

The Council welcomes the intention of the High Representative and the Commission to review the Union's emergency response capability and to report back to the Council, taking into account ongoing evaluations as well as lessons learned from the comprehensive EU response to the Haiti earthquake.'

Chile

The Council was briefed by the Commissioner for International Cooperation, Humanitarian Aid and Crisis Response, Kristalina Georgieva, on the EU's response to the earthquake and the tsunami in Chile and on her visit there. The Council had a short discussion, underlining that the EU's response had been speedy and comprehensive and that it was already looking ahead to support for long-term reconstruction. It requested the European Investment Bank to do likewise.

Afghanistan

The Council discussed developments in Afghanistan and EU efforts on the ground on the basis of the EU's 2009 Action Plan for Enhanced Engagement in Afghanistan and Pakistan in the presence of the EU's new single representative for Afghanistan, Mr Vygaudas Usackas.

1. Council Conclusions of 11 April 2006 (doc. 8388/06).

It adopted the following conclusions:

1. The Council discussed developments in Afghanistan and EU efforts on the ground on the basis of the Action Plan for Enhanced EU Engagement in Afghanistan and Pakistan, adopted in October 2009. The discussion took place in the presence of Mr. Vygaudas USACKAS, who today was appointed as single representative of the EU in Afghanistan, taking up office from 1 April 2010. His appointment as both the Special Representative of the EU and Head of the EU Delegation in Kabul is a further step to strengthen coordinated EU action on the ground, working in close cooperation with other international actors. EU efforts will be spearheaded under Mr. Usackas' leadership, who will guide the implementation of the Action Plan, in close cooperation with Member States' representatives in Kabul. The Council expressed sincere appreciation to outgoing EU Special Representative, Ettore Sequi, and outgoing Head of the EU Delegation, Hansjörg Kretschmer, for their outstanding work over the past years.

2. The Council reiterated that the internal security situation remained a direct challenge to the stability of Afghanistan. The Council underlined its continued support for international civilian efforts in Afghanistan, emphasising the central coordination role of UNAMA and reaffirming its support for the UN mandate and the objectives of ISAF. The key to delivering the civilian efforts will be enhanced coordination and the development of a coherent approach between all major civilian actors, notably the EU Special Representative, the Special Representative of the UN Secretary General and the NATO Senior Civilian Representative, under the leadership of the Government of Afghanistan. The Council underlined the importance of Afghan ownership and leadership.

3. The Council emphasised its support for the outcomes of the London Conference of 28 January 2010 and reiterated that all efforts must now focus on implementing the commitments made there, including with regards to the announced Peace and Reintegration Trust Fund to finance the Afghan-led Peace and Reintegration Programme. The Council underlined the significance of balanced, Afghan-led reconciliation and reintegration processes as key elements of a sustainable political solution in Afghanistan. In this respect, the Council welcomed the organisation of a Peace Jirga, scheduled to take place this Spring. The Council also welcomed recent contacts between leaders in the region aimed at confidence building. It looks forward to a second successful ad hoc Summit between the EU and Pakistan on 21 April 2010.

4. The Council discussed the Kabul Conference, which should follow up the commitments made in London. The Kabul Conference will provide an opportunity for the Afghan Government to chart the way forward, notably on anti-corruption, reinforced security, effective and impartial governance, economic and social development, human rights and improved electoral processes. The EU expects that the Government of Afghanistan will act swiftly and decisively to deliver on the promises made to its people. Through its Action Plan, the European Union in cooperation with UNAMA and other international partners, continues to provide long-term assistance to Afghanistan in institution building and civilian capacity programmes, including at sub-national level. The Council expects to discuss a first report on the progress of implementation of the Action Plan next month.

5. The Council stressed the importance of credible, inclusive and secure parliamentary elections in Afghanistan reflecting the will of the people. Recalling the recommendations of the EU Election Observation Mission to the Presidential Elections of 2009 and the commitments made at the London Conference to ensure the integrity of the elections, the Council urged the Government of Afghanistan to proceed without further delay with reforms to the electoral process to safeguard the impartiality, independence and integrity of the electoral institutions, notably the Independent Election Commission and the Electoral Complaints Commission, in

close cooperation with the SRSG of the UN. The Council emphasised that only structural reforms will make any support extended to the electoral process by the international community fully effective. The Council will continue to closely follow preparations for the upcoming parliamentary elections.’
(...)

Common Security and Defence Policy

EU ‘Atalanta’ mission against piracy off the Somali coast – Transfer agreements

The Council authorised the High Representative to open negotiations with Mauritius, Mozambique, South Africa, Tanzania and Uganda with a view to concluding transfer agreements in the framework of the EU military operation ‘EU NAVFOR Atalanta’ against acts of piracy and armed robbery off the Somali coast.

In accordance with Council joint action 2008/851/ CFSP², persons having committed or suspected of having committed acts of piracy or armed robbery in Somali territorial waters, who are arrested and detained, with a view to their prosecution, and property used to carry out such acts, may be transferred to any third state, provided that the conditions for the transfer have been agreed with that third state in a manner consistent with relevant international law, notably international law on human rights.

‘Atalanta’ mission against piracy of the Somali coast – Participation of Montenegro

In its General Affairs session, the Council adopted a decision approving the signing and conclusion of an agreement with Montenegro on its participation in the EU’s ‘Atalanta’ operation against piracy off the coast of Somalia (*doc 6976/10*).

Somalia – EU military training mission in Uganda

The Council approved the text of a letter to be sent to the committee established by United Nations Security Council (UNSC) resolution 751(1992) on Somalia, notifying it of the EU’s decision to carry out a military training mission in Uganda in order to contribute to strengthening the transitional federal government in Somalia.

The EU has decided to conduct a military training mission in Uganda, at the invitation of Uganda, with the objective of contributing to a comprehensive and sustainable perspective for the development of the Somali security sector.

Under resolution 1872 (2009), the UN Security Council urged the international community to offer technical assistance for the training and equipping of Somali security forces.

2. OJ L 301, 12.11.2008, p.33, as corrected in OJ L 253, 25.9.2009, p.18. Amended by Council Decision 2009/907/CFSP (OJ L 322, 9.12.2009, p.27).

Atalanta – Council Decision

Brussels, 22-23 March 2010

Council decision 2010/199/CFSP on the signing and conclusion of the agreement between the European Union and Montenegro on the participation of Montenegro in the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali Coast (Operation Atalanta)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, in particular Article 37 thereof, and the Treaty on the Functioning of the European Union, in particular Article 218(5) and (6) thereof,
Having regard to the proposal of the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 10 November 2008, the Council adopted Joint Action 2008/851/CFSP on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast⁽¹⁾ (operation Atalanta).

(2) Article 10(3) of that Joint Action provides that detailed modalities for the participation by third States shall be the subject of agreements to be concluded in accordance with Article 37 of the Treaty on European Union.

(1) OJ L 301, 12.11.2008, p. 33.

(3) Following the Decisions by the Political and Security Committee of 21 April 2009 on the acceptance of third States' contributions to operation Atalanta (ATALANTA/2/2009)⁽²⁾ and on the setting up of a Committee of Contributors (ATALANTA/3/2009)⁽³⁾, an Agreement has been negotiated between the European Union and Montenegro on the participation of Montenegro in the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Operation Atalanta) (the Agreement).

(4) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and Montenegro on the participation of Montenegro in the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Operation Atalanta) (the Agreement) is hereby approved on behalf of the European Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the European Union.

Article 3

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 10(1) of the Agreement⁽⁴⁾.

Article 4

This Decision shall enter into force on the date of its adoption.

Article 5

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 22 March 2010.

For the Council

The President

M. Á. Moratinos

(2) OJ L 109, 30.4.2009, p. 52.

(3) OJ L 112, 6.5.2009, p. 9 and addendum in OJ L 119, 14.5.2009, p. 40.

(4) The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

EU naval operation against piracy (EUNAVFOR Somalia – Operation Atalanta)

updated April 2010

On 8 December 2009, the Council of the EU decided to extend the mandate of the military operation to help deter, prevent and repress acts of piracy and armed robbery off the coast of Somalia for another year (until 12 December 2010). The European Union has been conducting this operation since December 2008.

This military operation, named EUNAVFOR Somalia – Operation ATALANTA, was launched in support of Resolutions 1814, 1816, 1838, 1846 which were adopted in 2008 and 1897 adopted in 2009 by the United Nations Security Council. Its aim is to contribute to:

- the protection of vessels of the World Food Programme (WFP) delivering food aid to displaced persons in Somalia;
- the protection of vulnerable vessels sailing in the Gulf of Aden and off the Somali coast and the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.

This operation – the European Union's first ever naval operation -is being conducted in the framework of the Common Security and Defence Policy (CSDP) of the EU.

Mandate

Operation ATALANTA's mission is to:

- provide protection for vessels chartered by the WFP;
- provide protection for merchant vessels;
- employ the necessary measures, including the use of force, to deter, prevent and intervene in order to bring to an end acts of piracy and armed robbery which may be committed in the areas where they are present.

Operational parameters

The Political and Security Committee (PSC) exercises the political control and strategic direction of the EU military operation, under the responsibility of the Council of the European Union. For its part, the European Union Military Committee (EUMC) monitors the correct execution of the operation conducted under the responsibility of the Operation Commander.

Rear Admiral Peter Hudson (UK) commands the operation from the Operational Headquarters (OHQ) at Northwood, United Kingdom. There he plans and conducts the operation as directed by the authorities of the European Union.

Rear Admiral Jan Thörnqvist (SE) commands the European naval force from the Force Headquarters (FHQ) on board of HMS Carlskrona, a frigate present in the theatre.

More than twenty vessels and aircraft takes part in EUNAVFOR, i.e. more than 1 800 military personnel. At the present time, the following EU member states are making a permanent operational contribution to the operation: the Netherlands, Spain, Germany, France, Greece, Italy, Sweden, Belgium, Luxembourg and Portugal. Also, a number of other EU military personnel supplement the team at the Northwood OHQ. Since August 2009, Norway is the first non-EU country to participate in ATALANTA. Croatia, Montenegro and Ukraine also participate in the operation.

The joint funding of the operation amounts to EUR 8,3 millions for the first year. This budget, which is shared between the EU member states and is established on the basis of their GDP, mainly covers the running costs of the OHQ and the FHQ. The common costs for supplying

the force are borne by the contributing countries and established according to their involvement in the operation, with each country continuing to bear the cost of the resources it provides (notably deployment costs, logistic support).

EU Transfer Agreements

The military personnel involved in the operation can arrest, detain and transfer persons who are suspected of having committed or who have committed acts of piracy or armed robbery in the areas where they are present. They can seize the vessels of the pirates or the vessels captured following an act of piracy or an armed robbery and which are in the hands of the pirates, as well as the goods on board. The suspects can be prosecuted, as appropriate thus far, by an EU member state or by Kenya under the agreement signed with the EU on 6 March 2009 giving the Kenyan authorities the right to prosecute. An exchange of letters concluded on 30 October 2009 between the EU and the Republic of Seychelles allows the transfer of suspected pirates and armed robbers apprehended by ATALANTA in the operation area. This arrangement constitutes an important new contribution to the counter-piracy efforts. This agreement is based on the same conditions and framework than the Kenyan agreement. Similar arrangements with other countries are being developed or explored.

The European naval force operates in a zone comprising the south of the Red Sea, the Gulf of Aden and part of the Indian Ocean, including the Seychelles, which represents an area comparable to that of the Mediterranean. Several other naval forces also operate in this zone. The EUNAVFOR operation is in permanent liaison with these forces (US-led coalition CTF-151, NATO, Russian, Indian, Japanese, Malaysian and Chinese vessels).

VESSELS ESCORTED BY EUNAVFOR FOR THE WORLD FOOD PROGRAMME		
	Number of escorts	Tons of food delivered
from 8/12/2008 to 11/4/2010	67 (plus 38 escorts of AMISOM)	more than 340 000
Number of Somalis fed: on average, more than 1 600 000 each day		

Each merchant vessel wishing to transit through the Gulf of Aden or off the coast of Somalia is advised to register in advance on the website of the Maritime Security Center-Horn of Africa (www.mschoa.eu), which was set up at the beginning of the operation to facilitate the coordination of maritime traffic.

This initiative, which was welcomed by the whole community of ship owners and merchant navies, makes it possible for vessels that observe EUNAVFOR recommendations to get the best degree of security available and to receive – in some cases – close military protection, and thus reduce the risk of attacks or capture.

The comprehensive European Union approach

EUNAVFOR-ATALANTA is part of the global action conducted by the EU in the Horn of Africa to deal with the Somali crisis, which has political, security and humanitarian aspects.

The EU supports the Djibouti process for peace and reconciliation in Somalia, facilitated by the UN. In this context, the EU welcomed the election of President Sheik Sharif Sheik Ahmed on 30 January 2009. The EU is multiplying its efforts to support the peace process and has called on all parties in Somalia to ease the suffering of the population and to seize this opportunity to work towards the restoration of security, stability and development in Somalia. The government also has the task of delivering a new constitution, to be adopted by referendum, and of setting up democratically elected institutions by the end of the transition period in August 2011.

The EU and its Member states support the African Union's military mission to Somalia (AMISOM) financially, in terms of planning and capacity building, in order to increase, in particular, the efficiency of the Somali police force and to combat any abuse and serious violation of human rights.

EUNAVFOR has also provided the necessary resources to protect ships aimed at sustaining AMISOM or deploying AMISOM reinforcements.

The Joint Strategy Paper for Somalia for 2008-2013 provides an allocation of EUR 215,8 million under the EC's 10th European Development Fund (EDF). It covers three main sectors of cooperation: governance, education and rural development. The issue of the security of maritime routes is also included in the European Commission's 2009-2011 indicative programme.

On 22 and 23 April 2009, was held in Brussels the International Conference in support of the Somali Security Institutions and the AMISOM, organised by the UN, the EU and the African Union. Almost USD 213 million were pledged to help the Somali Transitional Federal Government bring about peace and stability.

On 7 April 2010, the Council of the EU launched the EU military mission to contribute to training of Somali security forces (EUTM Somalia)⁽⁵⁾. The training will start in the beginning of May 2010. This mission will take place in Uganda where Somali forces are already being trained, which will also facilitate the coordination of the EU action with the AMISOM.

(5) www.consilium.europa.eu/eutm-somalia

CHAPTER 18

European Council

Brussels, 25-26 March 2010

Conclusions

(...)

[The European Council] also endorsed the Internal Security Strategy.

Annexe – EU Internal Security Strategy (Council – 25 February 2010)

The Council approved, after a public debate, an Internal Security Strategy for the European Union (5842/2/10) – one of the priorities of the Spanish Presidency in the area. The European Council will be invited to endorse the document, in accordance with Article 68 TFEU, and the Commission is expected to adopt a communication on concrete actions in the area.

The strategy lays out a European security model, which integrates among others action on law enforcement and judicial cooperation, border management and civil protection, with due respect for shared European values, such as fundamental rights. Its main objectives are:

- to present to the public the existing EU instruments that already help to guarantee the security and freedom of EU citizens and the added value that EU action provides in this area;
- to further develop common tools and policies using a more integrated approach which addresses the causes of insecurity and not just the effects;
- to strengthen law enforcement and judicial cooperation, border management, civil protection and disaster management.

The strategy highlights challenges the EU is facing, including terrorism, organised crime, cyber-crime, drug and arms trafficking, trafficking in human beings, sexual exploitation of minors and child pornography, economic crime and corruption, and even youth violence. Natural and man-made disasters, such as forest fires and energy shortages, also require cross-border preparedness and response. Another challenge is to address common phenomena that pose threats to citizens across Europe, for example road accidents.

The strategy puts a strong focus on prevention. Member states need to step up information sharing, making full use of biometric and other technologies.

Prevention also means tackling the root causes and involving a wide range of actors. Cooperation will be sought for instance with schools, in order to prevent young people going down the criminal path. In the private sector, financial institutions can contribute to the prevention of

money laundering. Civil society organisations could play a role in running public awareness campaigns.

Since internal security depends to a large extent on external security, it is necessary to work closely with the EU's neighbours and other countries as well as with international organisations.

The European Council of 10/11 December 2009, echoing the Stockholm Programme adopted at the same time, called for an internal security strategy that would further improve security in the EU and thus protect the lives and safety of European citizens. It asked to tackle, in particular, organised crime, terrorism and natural disasters.

CHAPTER 19

START – Catherine Ashton’s statement

Brussels, 27 March 2010

Statement by HR Catherine Ashton on Agreement between the United States and Russia on a new Strategic Arms Reduction Treaty (START)

I warmly congratulate the United States and Russia for concluding the negotiations of the post-START treaty.

By reducing substantially the number of deployed strategic nuclear warheads and delivery system, by establishing a strong verification mechanism and setting the stage for further reductions, this treaty represent a remarkable progress in the fulfilment of the disarmament obligations of the parties. It enhances the security of the contracting parties and of the international community as a whole.

The conclusion of this treaty will send a strong positive signal to the Nuclear Proliferation Treaty Review Conference scheduled to take place in May in New York and will contribute to accelerate the global disarmament efforts.

CHAPTER 20

NPT – Council Decision

Brussels, 29 March 2010

Council decision 2010/212/CFSP relating to the position of the European Union for the 2010 review conference of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,
Whereas:

(1) The European Union continues to regard the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as the cornerstone of the global nuclear non-proliferation regime, the essential foundation for the pursuit of nuclear disarmament in accordance with Article VI of the NPT and an important element in the further development of nuclear energy applications for peaceful purposes.

(2) On 12 December 2003, the European Council adopted the EU strategy against proliferation of Weapons of Mass Destruction, in order to steer its action in this field. On 8 December 2008, the Council adopted a document on 'New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems'.

(3) On 12 December 2008, the European Council endorsed the Council's statement on strengthening international security, reaffirming its determination to combat the proliferation of weapons of mass destruction and their means of delivery and promoting concrete and realistic disarmament initiatives which the Union submitted at the United Nations General Assembly.

(4) The United Nations Security Council unanimously adopted Resolution 1540 (2004), describing the proliferation of weapons of mass destruction and their means of delivery as a threat to international peace and security. On 12 June 2006, the Council adopted Joint Action 2006/419/CFSP⁽¹⁾, and on 14 May 2008, the Council adopted Joint Action 2008/368/CFSP⁽²⁾, both in support of the implementation of United Nations Security Council Resolution 1540 (2004) and in the framework of the implementation of the EU strategy against the Proliferation of Weapons of Mass Destruction.

(1) OJ L 165, 17.6.2006, p. 30.

(2) OJ L 127, 15.5.2008, p. 78.

(5) The United Nations Security Council, meeting at the level of Heads of State and Government, unanimously adopted Resolution 1887 (2009), resolving to seek a safer world for all and to create the conditions for a world without nuclear weapons, in accordance with the goals of the NPT, in a way that promotes international stability, and based on the principle of undiminished security for all, calling upon all states that are not parties to the NPT to accede to it as non-nuclear-weapon States Parties, and calling upon States Parties to the NPT to comply fully with all their obligations and fulfil their commitments under the NPT and to cooperate so that the 2010 NPT Review Conference can successfully strengthen the NPT and set realistic and achievable goals in all the NPT's three pillars: non-proliferation, the peaceful uses of nuclear energy, and disarmament.

(6) Since 2004, the Council has adopted several Joint Actions on support for International Atomic Energy Agency's (IAEA) activities in the areas of nuclear security and verification and in the framework of the implementation of the EU strategy against Proliferation of Weapons of Mass Destruction, most recently Joint Action 2008/314/CFSP⁽³⁾.

(7) On 8 December 2008, the Council adopted Council Conclusions on an EU contribution of up to EUR 25 million for the establishment of an IAEA nuclear fuel bank.

(8) Since 2006, the Council has adopted several Joint Actions on support for activities of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organisation in order to strengthen its monitoring and verification capabilities. These include, most recently, Joint Action 2008/588/CFSP⁽⁴⁾. In addition, the Council has promoted the early entry into force and universalisation of the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

(9) The President of the United States has convened a Summit on Nuclear Security, on 13 April 2010, to reinforce a commitment towards global nuclear security, including addressing the threat of nuclear terrorism.

(10) The 1995 Review and Extension Conference of the Parties to the NPT adopted decisions on the indefinite extension of the NPT, on principles and objectives for nuclear non-proliferation and disarmament and on strengthening the review process for the NPT, and a Resolution on the Middle East.

(11) The 2000 NPT Review Conference adopted a final document.

(12) On 25 April 2005, the Council adopted Common Position 2005/329/PESC relating to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons⁽⁵⁾.

(13) The Preparatory Committee for the 2010 NPT Review Conference held three sessions, from 30 April to 11 May 2007 in Vienna, 28 April to 9 May 2008 in Geneva and 4 to 15 May 2009 in New York.

(14) In the light of the outcomes of the 2000 NPT Review Conference and of the 2005 NPT Review Conference and of the discussions at the three sessions of the Preparatory Committee for the 2010 NPT Review Conference, and bearing in mind the current situation, it is appropriate to update and develop further the objectives set out in Common Position 2005/329/PESC, and the initiatives carried out under its terms,

HAS ADOPTED THIS DECISION:

Article 1

(3) OJ L 107, 17.4.2008, p. 62.

(4) OJ L 189, 17.7.2008, p. 28.

(5) OJ L 106, 27.4.2005, p. 32.

The objective of the Union shall be to strengthen the international nuclear non-proliferation regime by promoting a substantive and balanced outcome of the 2010 Review Conference of the Parties of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in order to achieve tangible and realistic progress towards the goals enshrined in the NPT.

To attain this goal, the Union shall aim to promote in particular the adoption of a set of concrete, effective, pragmatic and consensual measures for stepping up international efforts against proliferation, pursuing disarmament and ensuring the responsible development of peaceful uses of nuclear energy by countries wishing to develop their capacities in this field. To this end, the Union has elaborated and submitted to the 2010 NPT Review Conference a Working Paper on the EU forward-looking proposals on all three pillars of the NPT⁽⁶⁾, to be part of an ambitious action plan to be adopted by the 2010 NPT Review Conference.

Article 2

At the 2010 NPT Review Conference, the Union shall work, in particular, to ensure the States Parties to the NPT (hereinafter ‘the States Parties’) address the following priorities:

1. a reaffirmation by all States Parties of their commitment to comply with their obligations and to fulfil the goals of the NPT and towards universal accession to the NPT;
2. strengthening the implementation of the NPT through the adoption of a set of concrete, effective, pragmatic and consensual measures for stepping up international efforts against proliferation, pursuing disarmament and ensuring the responsible development of peaceful uses of nuclear energy and making progress on implementing the NPT 1995 Resolution on the Middle East;
3. reaffirming the commitment to and stressing the need for concrete progress in nuclear arms control and disarmament processes, especially through an overall reduction in the global stockpile of nuclear weapons, in accordance with Article VI of the NPT, taking into account the special responsibility of the states that possess the largest arsenals, and agreement on specific and early measures, including achieving rapid entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the start of negotiations in the Conference on Disarmament on a Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT) as indispensable steps towards fulfilment of the obligations and final objective enshrined in Article VI of the NPT;
4. strengthening the effectiveness and comprehensiveness of the non-proliferation regime through making the conclusion of a Comprehensive Safeguards Agreement together with the Additional Protocol the verification standard, under Article III of the NPT;
5. strengthening the NPT through a common understanding of States Parties on how to respond effectively to a State Party’s withdrawal from the NPT;
6. upholding the NPT, bearing in mind current major proliferation challenges, in particular in the Democratic People’s Republic of Korea and the Islamic Republic of Iran, through a common understanding of States Parties on how to respond resolutely and effectively to cases of non-compliance;
7. broadening acceptance and support of the concept of responsible development of peaceful uses of nuclear energy in the best safety, security and non-proliferation conditions and of multilateral approaches to the nuclear fuel cycle.

(6) NPT/CONF.2010/PC.III/WP.26.

Article 3

For the purposes of the objective laid down in Article 1 and the priorities defined in Article 2, the Union shall:

- (a) contribute to a structured and balanced review of the operation of the NPT at the 2010 NPT Review Conference, including the implementation of undertakings of the States Parties under the NPT, as well as the identification of areas in which, and of means through which, further progress should be sought in future, in particular with a view to the 2015 NPT Review Conference;
- (b) help build a consensus on the basis of the framework established by the NPT by supporting the decisions and the Resolution on the Middle East adopted at the 1995 NPT Review and Extension Conference and the final document of the 2000 NPT Review Conference, and shall bear in mind the current situation, and shall promote, inter alia, the following essential issues:
 1. undertaking efforts to preserve the integrity of the NPT and to strengthen its authority and implementation;
 2. recognising that the NPT is a unique and irreplaceable multilateral instrument for maintaining and reinforcing international peace, security and stability, in that it establishes a legal framework for preventing proliferation of nuclear weapons and for developing further a verification system guaranteeing that non-nuclear-weapons states use nuclear energy solely for peaceful purposes, and that it represents the essential foundation for the pursuit of nuclear disarmament in accordance with Article VI thereof, and an important element in the further development of nuclear energy applications for peaceful purposes, stressing that the NPT, with its three mutually reinforcing pillars, represents joint security interests of all States Parties;
 3. stressing the absolute necessity of full compliance with all the provisions of the NPT by all States Parties;
 4. stressing the need for policies and strategies of States Parties to be consistent with the provisions of the NPT;
 5. working towards universal accession to the NPT; calling on all states not parties to the NPT to become States Parties without delay as non-nuclear-weapon States Parties and, pending their accession to the NPT, to adhere to its terms and pledge commitments to non-proliferation and disarmament;
 6. welcoming the contribution of civil society in promoting the principles and objectives of the NPT;

Disarmament

7. reaffirming the commitment to seeking a safer world for all and to creating the conditions for a world without nuclear weapons, in accordance with the goals of the NPT; convinced that intermediate steps on the path towards this objective can also represent significant increases in security for all;
8. welcoming the considerable nuclear arms reductions which have taken place since the end of the Cold War, including by two Member States of the Union; stressing the need for an overall reduction in nuclear arsenals in the pursuit of gradual, systematic nuclear disarmament under Article VI of the NPT, taking into account the special responsibility of the states that possess the largest arsenals; welcoming, in this context, the negotiations on a new START agreement between the United States and the Russian Federation; reiterating the need for more progress in decreasing their arsenals and in reducing the operational readiness of their nuclear weapon systems to the minimum level necessary;

9. with regard to non-strategic nuclear weapons:
 - (i) calling on all States Parties possessing such weapons to include them in their general arms control and disarmament processes, with a view to their verifiable and irreversible reduction and elimination;
 - (ii) agreeing to the importance of further transparency and confidence-building measures in order to advance this nuclear disarmament process;
 - (iii) encouraging the United States and the Russian Federation to further develop the unilateral 1991/92 Presidential initiatives and to include non-strategic nuclear weapons in the next round of their bilateral nuclear arms reductions, leading to lower ceilings for the numbers of both strategic and non-strategic nuclear weapons in their arsenals;
10. recognising the application of the principle of irreversibility to guide all measures in the field of nuclear disarmament and arms control, as a contribution to the maintenance and reinforcement of international peace, security and stability, taking these conditions into account;
11. recognising the importance, from the point of view of nuclear disarmament, of the programmes for the destruction and elimination of nuclear weapons and the elimination of fissile material as defined under the G8 Global Partnership;
12. pursuing efforts to secure verifiability, transparency and other confidence building measures by the nuclear powers to support further progress in disarmament; welcoming in this regard the increased transparency shown by some nuclear-weapon states, including by two Members States of the Union, on the nuclear weapons they possess, and calling on others to do likewise;
13. reaffirming also the commitment to treaty-based nuclear arms control and disarmament and underlining the need to renew multilateral efforts and reactivate multilateral instruments, in particular the Conference on Disarmament;
14. calling on states to sign and ratify the CTBT without delay and without conditions, particularly the nine remaining states listed in Annex II of the CTBT that have not yet done so, since the CTBT forms an essential part of the nuclear disarmament and non- proliferation regime, and with a view to its entry into force as soon as possible; welcoming in this regard the recent commitments by the United States towards early ratification of the CTBT;
15. pending the entry into force of the CTBT, calling on all states to abide by a moratorium on nuclear test explosions, to refrain from any action contrary to the obligations and provisions of the CTBT and to dismantle, as soon as possible, all nuclear testing facilities in a manner that is transparent and open to the international community; highlighting the importance of and welcoming the work of the CTBT Organisation Preparatory Commission, particularly with regard to the International Monitoring System;
16. welcoming the adoption by consensus in 2009 of the Programme of Work of the Conference on Disarmament and, on this basis, appealing for the immediate commencement and early conclusion of the negotiations on a FMCT, on the basis of document CD/1299 of 24 March 1995 and the mandate contained therein, as agreed in Decision of 29 May 2009 of the Conference on Disarmament for the establishment of a Programme of Work for the 2009 session (CD/1864);
17. pending entry into force of a FMCT, calling on all states concerned to declare and uphold an immediate moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices, as well as to dismantle or convert for non-explosive use only the facilities dedicated to the production of fissile materials for nuclear weapons; welcoming the action of those of the five nuclear-weapon states, in particular within the Union, which have decreed the relevant moratoria and dismantled such facilities;
18. calling on all states concerned to take appropriate practical measures in order to reduce the risk of accidental nuclear war;

19. pursuing consideration of the issue of security assurances to the non-nuclear-weapon States Parties;
20. calling on nuclear-weapon states to reaffirm existing security assurances noted by the United Nations Security Council in Resolution 984 (1995), recognizing that such security assurances strengthen the nuclear non-proliferation regime, and to sign and ratify the relevant protocols to the Treaties establishing nuclear- weapon free zones drawn up following the requisite consultations in accordance with 1999 United Nation Disarmament Commission (UNDC) guidelines, recognising that treaty-based security assurances are available to such zones;
21. stressing the need to advance the general arms control and disarmament processes and calling for further progress on all aspects of disarmament to enhance global security;
22. working for the start of consultations on a Treaty banning short- and intermediate-range ground-to- ground missiles;
23. calling for universal accession to, and effective implementation of the Hague Code of Conduct against Ballistic Missile Proliferation;
24. highlighting the importance of universal accession and implementation of the Biological and Toxin Weapons Convention, the Chemical Weapons Convention and the conventions, measures and initiatives contributing to conventional arms control;
25. working for the resolution of the problems of regional instability and insecurity and of the conflict situations which are often at the root of armament programmes;

Non-Proliferation

26. recognising that major nuclear proliferation challenges have occurred in recent years, in particular in the Democratic People's Republic of Korea and the Islamic Republic of Iran, stressing that the international community must be ready to face up to them and stressing the need to take resolute action in response;
27. stressing the need to strengthen the role of the United Nations Security Council, as final arbiter, in order that it can take appropriate action in the event of non-compliance with NPT obligations, in keeping with the Statute of the International Atomic Energy Agency (IAEA), including the application of safeguards;
28. drawing attention to the potential implications for international peace and security of withdrawal from the NPT; urging the international community to respond to a notice of withdrawal and its consequences with purpose and urgency; stressing the requirement for the United Nations Security Council to act promptly and, in particular, to address without delay any State Party's notice of withdrawal from the NPT; urging States Parties to promote the adoption of measures in this regard, including arrangements for maintaining adequate IAEA safeguards on all nuclear materials, equipment, technologies and facilities developed for peaceful purposes;
29. calling for nuclear cooperation to be suspended where the IAEA is not able to provide adequate assurances that a state's nuclear programme is designed exclusively for peaceful purposes, until such time as the IAEA is able to provide such assurances;
30. calling upon all states in the region to make progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, and to refrain from taking measures that preclude the achievement of this objective; acknowledging the importance of reaching agreement on concrete practical steps as part of a process, involving all states of the region, aimed at facilitating the implementation of the 1995 NPT Resolution on the Middle East;
31. calling also upon all States Parties, and in particular the nuclear-weapon States Parties, to extend their cooperation and to exert their utmost efforts towards the establishment by regional

parties of an effectively verifiable Middle East zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, in keeping with the 1995 NPT Resolution on the Middle East;

32. since security in Europe is linked to security in the Mediterranean, giving high priority to implementation of the nuclear non-proliferation regime in that region;

33. acknowledging the importance of nuclear-weapon-free zones for peace and security, on the basis of arrangements freely entered into between the states of the region concerned, in accordance with 1999 UNDC guidelines;

34. stressing the need to do everything possible to prevent the risk of nuclear terrorism, linked to possible terrorist access to nuclear weapons or materials that could be used in the manufacture of radiological dispersal devices and, in this context, stressing the need for compliance with obligations under United Nations Security Council Resolutions 1540 (2004) and 1887 (2009) and calling for improved nuclear security for high radioactive sources;

35. calling on all states that have not yet done so, to sign, ratify and implement the International Convention for the Suppression of Acts of Nuclear Terrorism, as important part of the international legal framework to address the threats of nuclear terrorism;

36. in the light of the increased threat of nuclear proliferation and terrorism, supporting the G8 Global Partnership Initiative and IAEA action and other multilateral mechanisms in this regard, such as the Proliferation Security Initiative, the Global Initiative to Combat Nuclear Terrorism and the Global Threat Reduction Initiative; welcoming the security objectives of the Global Nuclear Security Summit;

37. recognising that Comprehensive Safeguards Agreements with Additional Protocols have a deterrent effect on nuclear proliferation and form today's verification standard;

38. continuing to work towards universalisation and strengthening of the IAEA safeguards system to ensure greater detectability of violations of non-proliferation obligations, in particular through the adoption and implementation by all states concerned of the Comprehensive Safeguards Agreement together with the Additional Protocol and, where relevant, the Revised Small Quantities Protocol, and for further strengthening the safeguards system;

39. working for recognition by the 2010 NPT Review Conference and the IAEA Board of Governors, that the conclusion and implementation of a Comprehensive Safeguards Agreement together with an Additional Protocol is today's verification standard, under Article III of the NPT;

40. highlighting the IAEA's unique role in verifying states' compliance with their nuclear non-proliferation commitments;

41. stressing further the IAEA's important role in assisting them, on request, to improve the security of nuclear materials and installations, and calling on states to support the IAEA;

42. recognising the importance of appropriate effective export controls, in compliance with United Nations Security Council Resolutions 1540 (2004) and 1887 (2009) and in accordance with paragraph 2 of Article III of the NPT;

43. implementing, at national level, effective export, transit, transshipment and re-export controls, including appropriate laws and regulations for that purpose, and resolute international and national efforts to combat proliferation financing and to control access to intangible transfers of technology;

44. enacting effective criminal sanctions against acts of proliferation, in order to deter illegal export, transit, brokering, trafficking and related financing, in compliance with United Nations Security Council Resolution 1540 (2004);

45. urging the Zangger Committee and the Nuclear Suppliers Group (NSG) to share their experience on export controls, so that all states can draw on the arrangements of the Zangger Committee and the NSG guidelines and their implementation;
46. pointing out the need to finalise at an early date the strengthening of the NSG guidelines, in particular on strengthened export controls on enrichment and reprocessing technologies, and to work within the NSG towards making the adherence to the Additional Protocol a condition for nuclear supply;
47. calling on the States Parties to the Convention on the Physical Protection of Nuclear Material to ratify as soon as possible the Amendment to the Convention, in order to expedite its entry into force;
48. encouraging the development of proliferation-resistant and safeguards-friendly technologies;

Peaceful uses of nuclear energy

49. recognising the right of States Parties to use nuclear energy for peaceful purposes, in accordance with Article IV the NPT, with due regard for Articles I, II and III thereof, inter alia, in the area of production of electricity, industry, health and agriculture;
50. remaining committed to assuring a responsible development of peaceful uses of nuclear energy in the best safety, security and non-proliferation conditions;
51. in that respect, encouraging the States Parties to reaffirm and comply with the principles and standards governing the responsible development of peaceful uses of nuclear energy;
52. underlining the importance of continuing international cooperation in order to strengthen nuclear safety, safe waste management, radiological protection and civil nuclear liability and calling upon states that have not yet done so to accede to all the relevant conventions as soon as possible and to implement fully the ensuing commitments;
53. supporting national, bilateral and international efforts to train the necessary skilled workforce required to ensure the responsible development of peaceful uses of nuclear energy under the best safety, security and non-proliferation conditions;
54. remaining firmly convinced of the benefits of multilateral approaches to the nuclear fuel cycle, in which assurance mechanisms, singly or in conjunction with other complementary mechanisms, should not act to distort the existing well-functioning market, and should address the right of peaceful uses of nuclear energy by providing nuclear fuel supply security for countries developing a nuclear programme in the best safety, security and non-proliferation conditions;
55. acknowledging that several initiatives, including the establishment of a Low Enriched Uranium bank under the control of the IAEA, can provide back-up mechanisms to interested countries and facilitate lasting multilateral solutions;
56. encouraging and engaging in further dialogue and consultation to clarify outstanding issues and to increase support for the concept of multilateral approaches to the nuclear fuel cycle.

Article 4

Action taken by the Union for the purposes of Articles 1, 2 and 3 shall comprise:

- (a) demarches with regard to States Parties, and, where appropriate, with regard to states not parties to the NPT, in order to urge their support for the objectives set out in Articles 1, 2 and 3 of this Decision;
- (b) the pursuit of agreement by Member States on draft proposals on substantive issues for submission on behalf of the Union for consideration by States Parties which may form the basis for decisions of the 2010 NPT Review Conference;

- (c) statements by the Union in the General Debate and in the debates in the three Main Committees and their Subsidiary Bodies of the 2010 NPT Review Conference.

Article 5

This Decision shall take effect on the date of its adoption.

Article 6

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 29 March 2010.

For the Council

The President

E. Espinosa

CHAPTER 21

Catherine Ashton – Speech at the International Conference on Haiti

New York, 31 March 2010

‘A Shared Vision for Haiti – the Next Ten Years’

Mr President, Mr Secretary-General, Madam Secretary of State, President Clinton, Excellencies, Ladies and Gentlemen, Dear Friends

I speak here today for the European Union – for all 27 Member States, our institutions, and our citizens.

Mr President when I visited Haiti recently. I saw for myself the extraordinary resilience and resourcefulness of the survivors. I pay tribute to their courage.

But I also saw the devastating loss, the destruction, and the shattered lives. President Preval: please accept my condolences – and those of the European Union – for your people.

Our thoughts also go to our lost colleagues from the United Nations and other international organizations. We are here today in the same spirit that moved them: the pursuit of a better future for Haiti.

We have before us the Haitian Government’s ‘Plan of Action.’ It is based on the best advice that the UN, the World Bank, the EU, the United States and other key partners have to offer. It has benefited from inputs from the private sector, from NGOs, from local government officials and from the Haitian diaspora as well.

But, it is the plan of the Government of Haiti, reflecting its vision for the future. This is as it should be. It is your country, we look to you to take the lead. Our role is to help.

Even as we focus on the here and now – the months ahead – the ‘Plan of Action’ captures the need for a 10 year economic strategy. A plan that goes beyond reconstruction to include drivers for development and growth: decentralisation, investment in agriculture and tourism, job creation and education. A comprehensive plan leading to a sustainable economy.

That means physical infrastructure must be a priority, but so must the creation of a legal and constitutional framework to attract inward investment. For the most vulnerable, we need a new social contract.

During my trip to Haiti earlier this month, I met many children in one of the many, crowded camps in Port-au-Prince. Most had lost relatives. Each had their story of how their lives had changed. We have to provide them with ‘the everyday miracle of a normal life’.

Food and water has now reached people. But there is a long journey ahead. And this is what bring us together today: a commitment to build a better future for the next generations.

For the European Union, I pledge € 1.235 billion for the Government of Haiti's Action Plan; the equivalent of over USD 1.6 billion. This is on top of the € 295 million that the EU has already contributed in humanitarian aid.

And it is in addition to the € 650 million that citizens from all across Europe have collected, out of their own pockets, for victims of the earth quake. In total, from European Governments and citizens: a contribution close to USD 3 billion. Our police, our military, and our civil protection personnel remain actively engaged as well.

President Preval, Secretary-General Ban, Secretary Clinton: the EU looks forward to continue to work with you to build a brighter future for all Haiti's citizens. This is just the beginning. Thank you.

CHAPTER 22

EUTM Somalia – Council Decision

Brussels, 31 March 2010

On 25 January 2010, the EU Council agreed to set up a military mission to contribute to the training of Somali security forces, EUTM Somalia. This mission, which will be launched on 7 April, will take place in Uganda, where Somali forces are already training; this should also facilitate the coordination of EU policy with the mission of the Union in Somalia (AMISOM). The mission will be conducted in close coordination with EU partners, including the Transitional Federal Government (TFG) of Somalia, Uganda, the African Union, the United Nations and the United States of America.

Council decision 2010/197/CFSP on the launch of a European Union military mission to contribute to the training of Somali Security Forces (EUTM Somalia)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28 and 43(2) thereof,

Having regard to Council Decision 2010/96/CFSP of 15 February 2010 on a European Union military mission to contribute to the training of Somali security forces¹, and in particular Article 4 thereof,

Having regard to the proposal by the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) In its Resolution 1872 (2009) on the situation in Somalia, adopted on 26 May 2009, the United Nations Security Council (UNSC) stressed the importance of the re-establishment, training, equipping and retention of Somali security forces, and urged Member States and regional and international organisations to offer technical assistance for the training and equipping of the Somali security forces. In its Resolution 1897 (2009), adopted on 30 November 2009, the UNSC recalled its previous resolutions and reaffirmed its respect for the sovereignty, territorial integrity, political independence and unity of Somalia.

1. OJ L 44, 19.2.2010, p. 16.

(2) By letter dated 5 January 2010, the Minister of Defence of Uganda welcomed the Union's envisaged mission in support of the Somali security sector and invited the Union to participate in the training of Somali security forces in Uganda for a period of at least one year.

(3) In accordance with Article 5 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications. Denmark does not, therefore, participate in the financing of this mission,

HAS ADOPTED THIS DECISION:

Article 1

The Mission Plan for the EU military mission to contribute to the training of Somali security forces, hereinafter referred to as 'EUTM Somalia', is approved.

Article 2

EUTM Somalia shall be launched on 7 April 2010.

Article 3

The EU Mission Commander of EUTM Somalia is hereby authorised with immediate effect to release the activation order (ACTORD) in order to execute the deployment of the forces and start execution of the mission.

Article 4

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 31 March 2010.

For the Council

The President

M. Á. Moratinos

European Defence Agency

Brussels, 20 April 2010

Report by the head of the European Defence Agency to the Council

The Lisbon Treaty has reinforced the Agency's central role in the improvement of European capabilities for the Common Security and Defence Policy (CSDP). This added thrust, brought forward by the institutional reform, now needs to be fully utilised.

For the new Head of the Agency, this development supports the comprehensive approach to CSDP capabilities. The enhanced institutional framework of European cooperation offers opportunities to collaborate for cost-effective capability development. New efforts are needed to enhance interoperability and standardisation, not only between military forces, but also between military and civilian actors.

The Agency and its participating Member States will now be challenged – also due to the current budgetary constraints – to fully exploit the added value which European cooperation has to bring. The Agency's current legal basis, the Council Joint Action of 2004, has proven to be 'fit-for-purpose' for a very well-functioning EDA. However, a new Council Decision on the Agency's statute, seat and operational rules will be required, in accordance with the provisions of the amended Treaty on European Union (TEU). Preparatory work on such a Council decision has been initiated. This decision should enable the Agency to continue its activities, respecting the TEU provisions and the Joint Action's proven provisions.

Defence capability development – towards more synergies with other European stakeholders

The implementation of the Capability Development Plan and its twelve selected priorities continues in close cooperation with the EU Military Committee and the EU Military Staff. The Helicopter Training Programme has been launched, based on the concept approved by the Ministerial Steering Board in November 2009. Work is progressing well in other areas, like defence against Chemical, Biological, Nuclear and Radiological (CBRN) threats.

The Third Party Logistics Support Platform is up and running in its pilot phase. Several national and institutional actors have made use of it, saving already millions of euros in their logistic support contracts. Also in other areas, like intelligence, communications and transport, work is progressing well.

The process of updating the CDP is ongoing, with the aim of completing this work in the second half of 2010.

The Agency has launched an important new work strand to identify, evaluate and select opportunities for pooling and sharing of capabilities. Highlighted by the Council Declaration

on Strengthening Capabilities of 2008, pooling and sharing can provide solutions for more efficiently meeting European capability requirements in a constrained budgetary environment. The Agency has begun this work with a view of proposing roadmaps for the development of individual capabilities next year.

An increasing number of Category B Projects, with different groups of Member States contributing, are operating under EDA's umbrella. The Multinational Space-based Imagery Systems (MUSIS) and Future Transport Helicopter projects are progressing well. Several of the Category B projects are steadily developing towards the procurement phase by a chosen executive agency, underlining the need for Council approval of the Administrative Arrangement between EDA and OCCAR as soon as possible.

Maritime Surveillance is an area of particular importance. The Wise Pen Team, consisting of five retired Admirals of participating Member States' Navies, has provided an important report for the development of Maritime Surveillance capabilities in support of the CSDP. The report is a commendable contribution to the broader work for the Integration of Maritime Surveillance, where the European Commission is leading the work. The interaction between all actors needs to continue and grow in order to enable a truly comprehensive European approach.

An improved environment for defence research

In defence research, the new Treaties give additional support to the building of capabilities relevant for CSDP. Europe needs to harness all its resources for a globally competitive European Defence Technological and Industrial Base (EDTIB) – and here better coordination can make a real difference.

The Agency has already coordinated its work with the European Commission and the European Space Agency (ESA) on a case-by-case basis, such as for technology investment for Software Defined Radio. The launch of the European Framework Cooperation (EFC) initiative last November by the Ministerial Steering Board is offering the opportunity to systematically coordinate investment in dual-use technologies between the Commission, EDA and ESA.

The Agency's first contribution to the EFC – through a programme on Chemical, Biological, Radiological and Nuclear (CBRN) Protection – will underpin the shared objective of more civil-military synergies by applying common underlying technologies.

Preparations are ongoing for another R&T programme in a similarly important domain, Unmanned Aerial Systems (UAS). Synchronising technology investment in this area will support civil-military interoperability and save money in a capability area whose importance will further grow in the future. The work on UAS will help Europe to enhance its competitiveness in this area.

In support of this continuous search for synergies, the commencement of negotiations with the European Space Agency for an Administrative Arrangement is a timely step towards more formal relations between the two organisations.

A stronger defence industrial base for Europe – built on more competition, harmonised requirements and common standards

The Agency's work to identify and support key industrial capabilities for Europe is underway in the domains of Future Air Systems and the ammunition sector. In both areas the objective is to support harmonisation of demand and to ensure that key industrial competences will be preserved or developed in Europe.

European industrial capabilities need to be supported by an open and transparent European Defence Equipment Market (EDEM), based on trust in adequate security of supply of defence

equipment. Together with the participating Member States, the Agency will investigate and propose a way forward for a wider European approach to security of supply.

In force since 2006, the Code of Conduct on Defence Procurement (CoC) is now a well established tool for more transparency and competition in the EDEM. Together with the Commission and the participating Member States, the Agency will assess the complementarity of the CoC and the Defence Procurement Directive and their possible contribution to enhancing transparency and competition of the EDEM.

With the objective of further improving the transparency of the EDEM, the Agency has facilitated the exchange of information on the defence implications of the REACH directive and investigated the potential of offset abatements practices.

A further prerequisite for a strong EDTIB will be the creation of standards that can serve as a catalyst for joint technology development. In support of this strategically important aspect of EDTIB development, the Agency will take over from the Commission the maintenance and development of the European Handbook on Defence Procurement.

The Agency has also started to investigate the implementation of the Single European Sky air traffic management regulations, looking for possible synergies and cost-savings for military aviation. As in the work underway on European Military Airworthiness Requirements, the harmonisation of regulations can provide significant cost-savings by streamlining current fragmented procedures.

Factsheet

Increasing Helicopters' Availability: the Helicopters Training Programme

Helicopters have been one of EDA's core activities. There continues to be shortage of available (transport) helicopters for crisis management operation. This is not due to the lack of helicopters. There are more than 1700 helicopters of 22 different types in the military inventories in Europe are not available for crisis management operations. So, the first fundamental question is – what are the reasons for the lack of deployed helicopters?

One reason is that some crews are not trained to fly in more demanding environments (for example over deserts or in mountainous terrain). The Agency has addressed this issue through its helicopters training activities.

An initial training capacity has already been delivered; a multinational helicopters exercise, conducted by the European Defence Agency, hosted by France and financed by Luxembourg took place in Gap (in the Alps, South East of France) in March 2009. It brought together helicopters and crews from Belgium, Czech Republic, France, Hungary and Spain, as well as personnel from nine other EU Member States. Czech pilots, deployed to Afghanistan before the end of 2009, were trained at this occasion.

These training initiatives have been coordinated through the EDA Helicopters Training Experts meetings and improved taking into consideration the conclusions of two studies delivered in 2009.

EDA is conducting this work on the basis of complementarity with NATO. Training is completely done by EDA, while NATO is focussing on immediate operational solutions for Afghanistan. Of course, this deconfliction is crucial regarding EDA's participating Member States' investments.

Helicopters Tactics Programme: background

At the 10 November 2008 Steering Board, Defence Ministers endorsed a roadmap for developing a European Helicopter Training Programme (HTP). Based on all activities which took place in 2009 the Ministerial Steering Board decided on 17 November 2009 to launch the HTP in 2010.

Aim & development

The HTP aims to deliver two exercises per year, with one focussing on individual training, essentially environmental training, and one focussing on interoperability and operational tactics. The feedback from operations will be captured and disseminated in an annual tactics symposium and this will further shape the development of future exercises.

Next events

- Spain has offered to host an environmental exercise in June 2010 (EX AZOR). This will be an environmental exercise utilising the hot, high and dusty conditions available in northern Spain in the summer.
- A second exercise is foreseen for the second semester 2010.

<http://www.eda.europa.eu/newsitem.aspx?id=458>

Helicopters, Key to Mobility - <http://www.eda.europa.eu/newsitem.aspx?id=433>

EDA's Bulletin – Issue 11 - <http://www.eda.europa.eu/reference.aspx>

CHAPTER 24

General Affairs Council

Luxembourg, 26 April 2010

European External Action Service

The Council reached a political orientation on a draft decision on the establishment of the European External Action Service, as provided for under the Treaty of Lisbon, on the basis of the proposal presented by High Representative Catherine Ashton on 25 March. The agreement provides a basis for consulting the European Parliament.

The creation of the EEAS is one of the most significant changes introduced by the Treaty of Lisbon. It aims to enable greater coherence and efficiency in the EU's external action and increase its political and economic influence in the world.

The EEAS will assist the High Representative of the Union for Foreign Affairs and Security Policy in fulfilling her mandate. It will work in cooperation with the diplomatic services of the member states and comprise officials from relevant departments of the General Secretariat of the Council and of the Commission, as well as staff seconded from the national diplomatic services of the member states.

The Treaty provides that the Council will act on the proposal after consulting Parliament and obtaining the consent of the Commission.

Terrorism

Management in the event of a terrorist attack

The Council approved a report on preparedness and consequence management in the event of a terrorist attack (*doc. 8568/10*).

CHAPTER 25

Foreign Affairs Council

Luxembourg, 26 April 2010

Security and defence

The Council included a substantial Common Security and Defence Policy (CSDP) component, with the participation of defence ministers.

The High Representative, Catherine Ashton, chaired a working dinner for defence ministers on Sunday evening. She updated them on the preparations for setting up the External Action Service and led an informal exchange of views on the subject. Ministers also continued the discussions initiated at their informal meeting in Palma de Mallorca on the organisation of their work within the Foreign Affairs Council. Ministers also exchanged views on the state of play and the way ahead for Common Security and Defence Policy operations, notably Operation EUFOR Althea in Bosnia and Herzegovina, EU NAVFOR Atalanta and the EU Training Mission for Somalia.

The Council took note of the report by the Head of the European Defence Agency to the Council on the EDA's activities and adopted conclusions on the Common Security and Defence Policy and on maritime security.

(...)

During the meeting, the Council was briefed by the High Representative on ongoing work, together with the Commission, on reinforcing the EU's rapid response to natural and man made disasters, in the light of the experience with relief efforts following the earthquake in Haiti.

On Monday morning, Catherine Ashton chaired a meeting of the European Defence Agency (EDA) steering board meeting on the sidelines of the Council.

Afghanistan

The Council, in a joint session of foreign and defence ministers, discussed the way forward on the implementation of the EU Action Plan for Enhanced Engagement in Afghanistan and Pakistan and took note of the first six-monthly implementation report. They were joined by the Secretary-General of NATO, Anders Fogh Rasmussen, for an informal discussion on military and civilian cooperation on and prospects for further EU-NATO cooperation in Afghanistan.

Sudan

The Council discussed the way ahead and the EU's role with regard to Sudan, stressing in particular the importance of continuing to implement the Comprehensive Peace Agreement. It adopted the following conclusions:

1. The Council welcomes the largely peaceful conduct of the recent elections as an important step in the implementation of the Comprehensive Peace Agreement and commends the people of the Sudan for having participated actively. The EU deployed one of its largest observer missions in recognition of this important event in the democratic transformation process in Sudan.

2. While noting the complexity of the elections, the Council expresses concern about the deficiencies in relation to international standards and also in the counting and aggregation of results as identified by the EU Electoral Observation Mission. The Council calls upon the Sudanese authorities to address these shortfalls in time to prepare for future voting processes in light of the EOM's recommendations in its final report.

3. The Council calls upon all authorities, parties and other stakeholders to respect the Sudanese Electoral Law and the legal procedures for electoral complaints and to honor the Code of Conduct and the Declaration on Common Commitments.

4. The Council calls upon all parties to fully respect the CPA, to spare no efforts to establish a broad political basis in view of the final implementation of the Comprehensive Peace Agreement, to urgently address the remaining issues and to abstain from any unilateral initiatives which might destabilize this process.

5. The Council reaffirms the EU's continuous commitment to supporting the full implementation of the CPA, including the holding of the referendum in Abyei, the popular consultations in Southern Kordofan and the Blue Nile and the referendum on self-determination of South Sudan in January 2011.

6. The Council encourages all Sudanese stakeholders to advance preparations for popular consultations and the referenda as well as for the necessary arrangements for the time thereafter. It underlines the importance of the International Community pursuing a coherent approach in this crucial transition phase. In this respect, the EU will closely cooperate with key international and regional partners, including the UN, AU and IGAD and supports the AU High Level Implementation Panel led by former President Thabo Mbeki.

7. The Council recalls its continued political and financial engagement in Sudan, including through development assistance, for the benefit of the Sudanese population. The EU is committed to maintaining a high level of humanitarian aid in response to the needs on the ground and urges all parties to allow unimpeded access.

8. Regarding the situation in Darfur, the Council recognizes the progress achieved in the Doha peace process under the leadership of AU/UN Chief Mediator, Djibril Bassolé. It encourages all parties, including civil society, to make decisive progress post elections towards an inclusive and comprehensive peace agreement which addresses the root causes of conflict.

9. The Council recalls that impunity for the most serious crimes under international law can never be accepted. The Council reiterates its support for the International Criminal Court (ICC) and calls upon the GoS to cooperate fully with the ICC in accordance with its obligations under international law.'

Burma/Myanmar

The Council had a short discussion on the EU's longer term approach to Burma/Myanmar and adopted the following conclusions:

1. The Council reaffirms the EU's unwavering commitment to the people of Burma/Myanmar. The EU remains a major donor to the country and stands ready to increase its assistance to the people of Burma/Myanmar, in order to improve their social and economic conditions.
2. The Council calls upon the authorities of Burma/Myanmar to take steps to bring about a peaceful transition to a democratic, civilian and inclusive system of government. The Council underlines that the political and socio-economic challenges facing the country can only be addressed through genuine dialogue between all stakeholders, including the ethnic groups and the opposition.
3. The Council expresses its serious concerns that election laws as published in early March do not provide for free and fair elections and notes that the authorities of Burma/Myanmar still have to take the steps necessary to make the planned elections later this year a credible, transparent and inclusive process. The Council reiterates its call for the release of the political prisoners and detainees, including Daw Aung San Suu Kyi.
4. The Council deems it necessary to extend the restrictive measures provided for in the current EU Decision by another year. The Council underlines its readiness to revise, amend or reinforce the measures it has already adopted in light of developments on the ground. The EU stands ready to respond positively to genuine progress in Burma/Myanmar.
5. To help achieve the progress needed, the EU is ready to continue its dialogue with the authorities of Burma/Myanmar and all other relevant stakeholders. It intends to send an exploratory mission to the country, in order to hold high level talks, in the hope of building trust and helping the political process to move towards the intended goals.
6. The Council expresses its strong support for the continued work of EU Special Envoy Piero Fassino and invites the Burma/Myanmar authorities to cooperate fully with him.
7. The Council urges the government of Burma/Myanmar to engage more with the international community, to work towards a peaceful transition to democracy. It reaffirms the EU's support for the Good Offices Mission of the UN Secretary General and welcomes his continued personal commitment to further the political process, and calls upon the authorities of Burma/Myanmar to engage with the UN in a meaningful manner. The EU will continue to actively support the group of friends of the UNSG and raise the situation in the country, and its possible implications for regional stability, with key actors, including ASEAN and its Member States, the United States, Australia, China, India, Japan and Russia.
8. The Council welcomes the ASEAN Chairman's statement of 9 April 2010 from the 16th Summit, which underscored the importance of national reconciliation in Myanmar and the holding of the general election in a free, fair and inclusive manner. The Council also welcomes statements from individual ASEAN members, as well as Japan, on the need for release of all political prisoners and detainees, including Daw Aung San Suu Kyi. The EU looks forward to a continued close dialogue with our ASEAN partners on the issue – next time at the upcoming EU/ASEAN ministerial in May in Madrid.
9. The Council welcomes the adoption of Resolution 13/25 of the UN Human Rights Council, and endorses the Progress report by the UN Special Rapporteur, Mr Quintana. It calls upon the authorities of Burma/Myanmar to cooperate with him in a constructive manner and comply in full with the UN's recommendations, by taking urgent measures to put an end to violations of international human rights and humanitarian law.'

Kyrgyzstan

The High Representative updated the Council on the steps taken following the recent events in Kyrgyzstan and led a discussion on possible further EU action. The Council adopted the following conclusions:

1. The Council has closely followed the recent events in Kyrgyzstan. The Council regrets the loss of life and remains concerned by the fragile situation in the country. The Council appreciates the close and successful coordination between the EU, OSCE, and the UN in Kyrgyzstan in the immediate aftermath of the unrest.

2. The Council underlines the importance of an early return to public order in Kyrgyzstan under a democratic government that fully respects the rule of law and human rights. The Council calls on the provisional government to abide by all Kyrgyzstan's international obligations and commitments in that regard.

3. The Council welcomes the provisional government's announcement to work on constitutional reform and rapidly lay the proper groundwork for democratic elections. The Council calls on the provisional government to take into account the relevant expert opinions of ODIHR and the Venice Commission in organising the constitutional referendum and the parliamentary elections announced for 27 June and 10 October 2010 respectively.

4. The Council looks forward to concrete action by the provisional government in the areas mentioned above and stands ready to support implementation of these objectives with assistance measures, including in the framework of the EU Strategy for Central Asia.

5. The EU will continue to follow the situation in Kyrgyzstan closely and will coordinate its actions with relevant international organisations and other international actors.'

(..)

Common Security and Defense Policy

EU crisis management operations – Participation of third countries

The Council authorised the High Representative to open negotiations with a view to concluding agreements with Albania, Angola, Argentina, Australia, Bosnia and Herzegovina, Brazil, Chile, China, Croatia, the Dominican Republic, Egypt, the former Yugoslav Republic of Macedonia, India, Japan, Montenegro, Morocco, New Zealand, Serbia, South Africa and the United States, in order to establish a framework for their participation in EU crisis management operations. Five framework participation agreements are currently in force, between the EU and Canada, Iceland, Norway, Turkey and Ukraine respectively.

Development of EU military capabilities

The Council took note of a progress report on the development of EU military capabilities, and approved its transmission to NATO for information (doc. 8443/10).

Report by the head of the European Defence Agency

The Council took note of a report by the head of the European Defence Agency (doc. 8585/10).

(..)

Council conclusions on CSDP

The Council adopted the following conclusions:

I. Introduction

1. The Council highlights the role of Common Security and Defence Policy (CSDP) as an important and successful instrument of the European Union. The Treaty on the European Union constitutes the opening of a new chapter in the EU's security and defence policy, with the High Representative of the Union for Foreign Affairs and Security Policy, supported by the European External Action Service (EEAS), to ensure increased effectiveness in CSDP and CFSP in general.
2. The EU is a unique and influential actor, able to cover all stages from conflict prevention, rapid response and crisis management to longer term support for development, with a wide range of instruments. In this regard, the Council looks forward to the establishment of the EEAS which will give a key contribution to the increased policy coherence in the overall framework of the EU's comprehensive approach in its foreign relations.
3. The CSDP missions and operations are framed within a coherent policy approach, operating on the ground as part of the EU family and building on necessary local ownership. In order to continue ensuring the added value and quality of CSDP missions and operations, the Council reiterates the need to continue improving effectiveness in providing personnel and equipment, to share best practices, and further develop common training and exercising activities.

II. CSDP missions and operations

Western Balkans

EULEX KOSOVO

4. The Council noted the important and specific role played by the mission in strengthening the stability of the region in line with its European perspective. The Council reiterated its full support to the further efforts of EULEX to exercise its mandate throughout Kosovo.
5. The Council noted with satisfaction the results achieved so far by EULEX KOSOVO in a difficult environment assisting judicial and law enforcement agencies and in promoting rule of law reforms, including in the prosecution and adjudication of sensitive criminal cases.
6. The Council expressed its support for the mission's approach to intensify its efforts in the fight against organised crime and corruption. The Council further welcomed efforts to increase the mission's presence and activities in the north of Kosovo, alongside other EU actors, including through the establishment of the EU House in Mitrovica.
7. The Council reiterated that the implementation of the EULEX KOSOVO mandate will require a consistent commitment by all stakeholders. The Council underlined the importance of cooperation by regional partners with the mission and of the strong support by international partners. It also stressed the need for continued and genuine cooperation of Kosovo authorities with the mission. The Council expressed its continued support to EULEX Kosovo's efforts to enhance regional cooperation.

EUPM Bosnia and Herzegovina (EUPM)

8. The Council welcomed the efforts carried out by EUPM in Bosnia and Herzegovina (BiH) to achieve its mandate and noted the important role played by the mission as part of the overall EU

efforts towards BiH European perspective. It welcomed the refocusing of the mission's mandate on the support to the fight against organised crime and corruption as well as results achieved so far in this area.

Operation ALTHEA

9. The Council welcomed Operation Althea's continued important contribution to the EU's comprehensive efforts in BiH. The Council recalled its Conclusions of 25 January 2010.

10. The Council welcomed progress with the implementation of the Operation's new capacitybuilding and training tasks, which would contribute to strengthening local ownership and capacity. It also reiterated the importance of Member States continuing to provide the necessary resources for the ongoing Operation's executive role.

South Caucasus

EUMM Georgia

11. The Council welcomed the continued efforts of the EUMM in implementing its mandate. The EUMM has made and continues to make significant contributions in the area of stabilisation and normalisation of the situation in Georgia. First of all through its monitoring activities and by promoting communication between the parties via the Incident Prevention and Response Mechanisms (IPRM).

12. The Council reiterated its call on all sides to fully implement the Six-Point Agreement and subsequent implementing measures to participate constructively in the Geneva talks and increase their efforts to mitigate the consequences of the conflict for the local population.

While expressing its continued commitment to Georgia's independence, sovereignty and territorial integrity as well as to the principal of non-use of force, the Council reiterated its support for the full implementation of the EUMM's country-wide mandate, including access to the de-facto entities.

13. While acknowledging that progress on confidence building has taken place, the Council called on all actors on the ground to pursue their efforts on confidence building including as regards IDP return. The Council also noted the Georgian government's new strategy for engagement with the breakaway regions of Abkhazia and South Ossetia and called on all parties to seek opportunities to improve the lives and free movement of people on both sides of the Administrative Boundary Line. Ensuring free movement across the ABL is a key to confidence building.

Asia

EUPOL Afghanistan

14. The Council welcomed the strategic reform efforts of EUPOL AFGHANISTAN and its continuous work in strengthening the Afghan police and rule of law sector. The Council recognises the importance of EUPOL Afghanistan becoming the coordinator for the development of two pillars of the Afghan National Police, namely the Afghan Civilian Police and the Afghan Anticrime Police as requested by the Afghan Minister of the Interior.

Sustainable civilian policing structures are a crucial element of the transition strategy agreed upon in the London Conference.

15. The Council welcomed ongoing work in preparing EUPOL Afghanistan's extension and, in that context, a possible adaptation of its mandate. The Council also welcomed the HR's intention to keep the mission under review, while ensuring its continuity and effectiveness.

16. The Council welcomed the continued progress made by EUPOL AFGHANISTAN at strategic, operational and tactical levels in line with its strategic objectives. The Council acknowledged the progress and expansion of the City Police Projects in building effective city police forces throughout the country. The Council also welcomed the emphasis of the mission on close coordination of its activities with other EU instruments and key partners, especially the recently activated cooperation with the NATO Training Mission Afghanistan.

Middle East

EUJUST LEX

17. The Council reaffirmed the strong commitment of the European Union to support the continued development of the rule of law in Iraq. The proposed activities for the mission over the next 2 years will also increase its presence and visibility in Iraq, as well as more specialized and alumni follow up training in country, building upon the success of recent pilot activities. The Council welcomed ongoing work in preparing EUJUST LEX's extension until June 2012, following a strategic review.

EUPOL COPPS

18. The Council welcomed the work carried out by EUPOL COPPS in the establishment of sustainable and effective policing arrangements and in the criminal justice sector. The Council looked forward to initiatives aimed at enhancing the mission's impact and contribution to the capacity building of the PA and to this end encouraged the further strengthening of the mission's action at the strategic, operational and field level in close cooperation with Palestinian counterparts and other stakeholders.

EUBAM RAFAH

19. The Council reaffirmed the political importance of EUBAM Rafah and its continued support for the mission. It welcomed in particular the maintenance of the mission's operational capability as well as its reactivation plan, which would ensure a rapid resumption of its full activities in case of re-opening of the Rafah Crossing Point. The Council welcomed ongoing work in preparing EUBAM Rafah's extension.

Africa

Operation ATALANTA/EUNAVFOR

20. The Council commended that ATALANTA continued to successfully contribute to maritime security off the coast of Somalia by protecting World Food Programme chartered vessels delivering aid to Somalia, vessels supplying critical shipments to the AU peace support operation in Somalia (AMISOM), and other vulnerable vessels. The Council also welcomed the growing participation of third states and looked forward to the participation of Ukraine and Montenegro in ATALANTA, further to that of Norway and Croatia.

21. The Council noted that a large majority of successful attacks by pirates took place in circumstances where recommended best practice had apparently been ignored. The international maritime community was therefore encouraged to further promote full adherence to that recommended practice.

22. The Council recalled the leading role taken by ATALANTA in the SHADE (Shared Awareness and Deconfliction) mechanism to promote coordination between the multinational, national and regional naval forces operating in the area. In this respect, the Council welcomed the Chinese decision to cooperate more closely with other naval forces in taking active responsibility on a

rotating basis for the coordination of naval assets in the Internationally Recommended Transit Corridor in the Gulf of Aden.

23. The Council welcomed the crucial contributions being made by Kenya and the Republic of Seychelles, on the basis of transfer agreements with the EU, to the detention and prosecution of suspected pirates and armed robbers apprehended by ATALANTA. The Council asked that all efforts be made to support Kenya and the Seychelles in their important roles, and recalled the EU's readiness to step up the dialogue and continue to provide assistance.

24. The Council strongly encouraged ongoing work on the critical need to expand the international community's capacity for the prosecution of suspected pirates. It recalled its authorisation of negotiations for transfer agreements between the EU and further regional countries, namely Mauritius, Mozambique, South Africa, Tanzania and Uganda. In this context, the Council highlighted the EU's support for Kenya's and Seychelles' judicial systems through the Instrument for Stability, as well as possible similar support for other States in the region. The Council welcomed the recent amendments in Tanzanian law, which provide for prosecution of suspected pirates.

25. The Council underlined the necessity to pursue efforts aiming at sustainable solutions for the prosecution of suspected pirates taking notably into account work carried out in the framework of the Contact Group on Piracy off the Coast of Somalia. The Council took note of initiatives taken in the UN Security Council in this field.

26. The Council supported and encouraged continuing efforts by the International Maritime Organisation to suppress piracy and armed robbery at sea.

27. The Council encouraged the African Union and the regional organisations of East and Southern Africa and the Indian Ocean to take on an increasing sense of ownership of the piracy issue and looked forward to the reflection of this in regional programmes.

28. The Council requested the High Representative to prepare work for the potential further extension of Operation Atalanta beyond December 2010, for consideration by the Council in due time, taking into account operational requirements.

EUTM Somalia

29. The Council reiterated the European Union strong commitment to responding to the priority needs of the Somali people and stabilizing Somalia. As part of its comprehensive approach to the situation in Somalia, the EU supports the implementation of the Djibouti Agreement.

30. The EU and its Member States are supporting the Transitional Federal Government of Somalia (TFG) to begin rebuilding security and creating an environment in which the gains of peace can be realized. In this regard, the Council stressed the importance of TFG's ownership and welcomed the TFG's commitment to this process.

31. In this context, the Council commended the launch on 7 April 2010 of EUTM Somalia, a military training mission in Uganda. This mission will contribute to strengthening the Somali Security Forces through the provision of specific military training for 2000 Somali recruits up to and including platoon level, including appropriate modular and specialized training for officers and non commissioned officers.

32. The Council stressed that EUTM Somalia should be considered as part of a wider EU and international engagement towards Somalia. It expressed its satisfaction with the close cooperation that has been established with key partners in this common endeavour, in particular with Uganda, the African Union, AMISOM, the United Nations and the United States. It welcomed the significant progress made so far, and underlined the importance of ensuring that the wider

conditions continue to be put in place for the effective and sustainable contribution of EUTM trainees to the Somali security forces and the stabilisation of Somalia.

EUSEC RD Congo

33. The Council welcomed the work of EUSEC RD Congo and stressed that defence reform and good governance in the defence field remain key factors in creating conditions for lasting stability and development in the country.

34. The Council underlined the importance of EUSEC RD Congo's key tasks of providing advice and assistance for defence reform with the aim of implementing the Congolese revised reform plan for the Congolese Armed Forces (FARDC) and to translate it into concrete actions. The Council highlighted the importance of political commitment and coordination by the Congolese authorities to take the reform process forward, and the role of the UN, in close cooperation with the Congolese authorities, on SSR.

35. The Council welcomed the end of the census process for the CNDP at the end of November 2009. It emphasised the need to continue work on integrating all former armed groups.

36. The Council underlined the importance of local Congolese ownership in the first instance and the overall EU engagement in DRC in preventing and addressing human rights violations; in the fight against sexual violence and in addressing children affected by armed conflict.

EUPOL RD Congo

37. The Council welcomed the work of EUPOL RD Congo in supporting the reform of the Congolese national police and its interaction with the justice sector, in particular recent positive results, such as the submission of the draft Organic Law for the Police to the Congolese National Assembly. The Council also noted the adoption of other significant documents such as the Police Action Plan and the important coordination work conducted by the Comité de Suivi de la Réforme de la Police (CSRFP).

38. The Council welcomed the work started by the mission antennas in Goma and Bukavu and the reinforced effort in the area of criminal investigation, including the fight against impunity and sexual violence.

EU SSR Guinea-Bissau

39. The Council welcomed the work of EU SSR Guinea-Bissau in supporting local authorities to bring forward the reform process. Particular emphasis was given to finalising basic legislation underpinning the new security structures in the sectors of defence, police and justice.

40. The Council called for a comprehensive approach to future EU engagement in security sector reform. However, in light of recent events in Guinea-Bissau, engagement will depend on further political developments, including respect for democratic principles, human rights and rule of law allowing stability and progress on such reform.

III. Conflict prevention and crisis management capabilities and thematic issues

Civilian Capabilities

41. Civilian capability planning and development progressed in accordance with the Guiding Lines for the second semester of 2009. In the run-up to the final report for the Civilian Headline Goal 2010, which is due for the second semester of 2010, the Council looked forward to the presentation, in the first semester of 2010, of the third progress report on the implementation of the Guiding Lines.

42. The Council stressed the importance of continuing efforts to match ambition with resources. In this respect, it welcomed the launch of the feasibility study on a possible establishment of a permanent warehousing solution to stock equipment for civilian missions. It also welcomed the progress made with the development of the Goalkeeper software environment to facilitate inter alia the recruitment and training of personnel for civilian missions, and recalled the need to finalise, implement and operationalise all Goalkeeper applications without delay.

43. The Council noted the continued need for missions to be appropriately staffed. It encouraged further practical steps at both EU and national level, including the adoption of national measures/strategies as appropriate, to ensure generation of the required capabilities, including in view of possible rapid deployment. Training at both EU and national level enhances the quality as well as the quantity of personnel to be potentially engaged in the CSDP missions. The Council looked forward to the implementation of the revised CRT Concept.

Cooperation between CSDP and JHA

44. The Council underlined the importance of further strengthening the coordination, exchange of information and cooperation between CSDP missions and all the relevant JHA actors. It recalled that several CSDP missions contribute to EU internal security by supporting the fight against transnational crime and by building capacities in the field of international legal cooperation. It noted the JHA initiatives stressing the potential for reinforced synergies with CSDP in West-Africa and other regions as well.

Civil-Military Capability Development

45. The Council welcomed ongoing work as well as the presentation of the related workplan to promote synergies between the EU civilian and military capability development. It looked forward to the further discussion and implementation of this workplan and underlined the importance of concentrating on the concrete delivery of capabilities leading to operational improvements.

46. The Council underlined that the PSC should continue to play a leading role in this work by giving guidance to the work related to synergies between the EU civil and military capability development and noted the importance of the Crisis Management and Planning Directorate (CMPD) in the work ahead. The CMPD will continue, within its area of responsibility, inter alia to foster and coordinate work on synergies between civilian and military capability development, including in helping identify dual needs.

47. The Council welcomed the ongoing work towards integrated maritime surveillance as a concrete example of the search for civil-military synergies. In this context, the Council noted that the final report of the Wise Pen Team on maritime surveillance in support of CSDP was presented to the European Defence Agency's Steering Board and the Military Committee and invites the Commission to consider, as appropriate, its conclusions in the elaboration of the roadmap for the implementation of an Integrated Maritime Surveillance in the European Union, to be presented before the end of 2010.

Military Capabilities

Headline Goal 2010

48. The Council welcomed the work carried out in developing Member States' military capabilities and noted the Single Progress Report.

49. The Council welcomed the results of the continuous cooperative work of the EU Military Committee (EUMC) and the European Defence Agency (EDA) in the area of capability development,

in particular on the update of the Capability Development Plan and lessons identified from operations.

50. The Council welcomed progress made in military concepts, notably the finalisation of the EUMC Interoperability Study. The Council noted with satisfaction progress in the area of Countering Improvised Explosive Devices which is essential for the security of forces deployed in CSDP operations. The Council looked forward to further progress in the EU's comprehensive approach to crisis management. It noted that taking into account both civilian and military aspects of crisis management was essential to progress in this area.

51. The Council welcomed the work aimed at reaching full operational capability of the EU Operations Wide Area Network, which connects with Brussels all EU Operation Headquarters, two of the EU Force Headquarters and the EU Satellite Centre, as well as those Member States who so wish.

52. The Council looked forward to further reflections on ways to foster the delivery of European capabilities beyond the 2010 horizon. This should include considerations on the need to increase synergy between the civilian and military EU capability development processes.

Rapid Response

53. The Council welcomed the agreement of the concept for the implementation of an EU Air Deployable Operating Base in the field of Air Rapid Response operations.

54. Welcoming the progress made so far in the work related to increasing flexibility and usability of EU Battlegroups in accordance with the guidelines agreed in November 2009, the Council recalled the need for increased cooperation between Battlegroups, and between Battlegroups and the Council General Secretariat, during the preparation phase as well as during and after the stand-by period, and encouraged all actors involved to take action to this aim.

55. The Council encouraged Member States to make new offers for Battlegroups from 2012 onwards and to fill in particular the vacant slot in the first Semester of 2012.

European Defence Agency

56. The Council welcomed the report by the Head of the European Defence Agency. It also welcomed the Agency's role to strive for improved defence capabilities in support of CSDP as set out in the new Treaty on the European Union.

57. The Council encouraged the Agency's ongoing efforts in support of CSDP capability development, underlining the particular importance of cooperation between Member States in view of increasing budgetary constraints, and noted the progress of work on the 2011-2013 workplan. The work on updating the Capability Development Plan and on the launching of new projects and initiatives, such as in the areas of Counter-Improvised Explosive Devices and pooling and sharing of capabilities, were welcomed by the Council.

58. The Council welcomed the work of the Wise Pen Team on Maritime Surveillance, notably in support of CSDP, and in this regard encouraged it to continue to provide input as foreseen in support of continuing work on the integration of Maritime Surveillance. The Council recalled that these efforts are part of work towards an Integrated Maritime Policy.

59. The Council emphasised the importance of seeking civil-military synergies in the research and technology area. In this regard, it welcomed progress made in the field of synergies between civilian security, space and defence-related research programmes, and welcomed the launching of the Agency's first contribution to the European Framework Cooperation in the area of CBRN Protection.

60. The Council noted with satisfaction the commencement of negotiations between the EDA and the European Space Agency for an Administrative Arrangement, with a view to its approval by the Council in November 2010.

61. The continued work on a Security of Information Agreement between the EU and OCCAR and an Administrative Arrangement between EDA and OCCAR was welcomed by the Council as a major step forward in support of a seamless transfer of capability requirements into cooperative procurement programmes. The Council invited all parties to enhance efforts to conclude the Security of Information Agreement and the Administrative Arrangement as soon as possible.

62. The Council encouraged the further enhancement of the relationship between EDA and the LoI Framework Agreement.

63. The Council encouraged the Agency to investigate its potential involvement in the implementation of the Single European Sky (SES) regulations in order to identify benefits and cost-savings for military aviation in the SES.

64. The Council reaffirmed its support for the Agency's work on the European Defence Technological and Industrial Base, emphasising its full support for a stronger involvement of small and medium- sized enterprises in the supply chain. It also encouraged efforts towards an open, transparent and efficient European Defence Equipment Market, including follow up of the Political Declaration on Level Playing Field, and work on security of supply. The Council encouraged the work of the Agency towards developing and sustaining key European industrial capabilities in the field of aeronautical capabilities, in particular for unmanned aerial systems.

Security Sector Reform

65. Welcoming the progress made so far, the Council stressed the importance of achieving the operationalisation of the SSR pool of experts in due time, in order to strengthen the EU's capacity in Security Sector Reform.

Small Arms and Light Weapons

66. The Council underlined the importance of considering, in the planning of future civilian and military CSDP missions, the appropriateness and feasibility of including in the mandate of the missions issues on Small Arms and Light Weapons.

Gender and Human Rights

67. The Council recalled the importance of a continued and systematic consideration of human rights, gender and children affected by armed conflict aspects from the early planning of CSDP missions and operations, during their conduct, as well as in the subsequent lessons identified processes. The Council welcomed the progress made, in particular the seminar held in March under the auspices of the Spanish Presidency with a special focus on women in uniform, work carried out by deployed gender and human rights advisors, as well as heads of missions and operation commanders, to ensure that these aspects are mainstreamed, setting up of a specific website in the GSC portal. This work needs to be further pursued, including in the related area of Protection of Civilians, where new impetus has been provided by the adoption of UNSCR 1894. It recalled the particular relevance of gender and human rights aspects in the run up to the 10th anniversary of UNSCR 1325 in the autumn.

Conflict Prevention, Mediation and Dialogue

68. The Council emphasised the need to continue the implementation of the concept on strengthening the EU mediation and dialogue capacities, adopted in 2009, in order to develop a more systematic and coordinated approach and to strengthen EU capacity in this area. The Council called for preparatory steps to be taken in order to initiate the envisaged review of the process.

69. The Council emphasised the EU's engagement in the area of conflict prevention as set out in the Göteborg Programme of 2001 and noted the work taken forward. It welcomed the intention to take stock of a decade's progress in this field.

Training***European Security and Defence College (ESDC)***

70. The Council noted with satisfaction the training record of the ESDC since its establishment in 2005, and recalled the College's key role in CSDP related training.

71. Against this background, the Council recalled the need to increase the resources available to the College's Permanent Secretariat, as defined in the ESDC Steering Committee recommendations which it approved in December 2008.

72. The Council welcomed the progress on the European initiative on the exchange of young officers during their initial training inspired by Erasmus as presented by the High Representative in her special report on the initiative, including the framework regarding the initiative to be followed by participating Member States when appropriate.

Lessons learned

73. In December 2009, the Council adopted a first Annual Lessons Report on civilian CSDP missions, identifying key lessons, analysing trends and proposing implementation of the lessons over the coming year. The Council emphasised the importance of the lessons identified process as a tool which provides necessary and valuable input to the civilian capability development effort including training.

74. The Council underlined the importance of the identification and implementation of horizontal/thematic lessons across the military and civilian fields in CSDP. Thematic lessons reports and reviewed concepts will be produced to enhance EU efforts at comprehensive crisis management as part of the CFSP.

Exercises***CME 09***

75. The Council recognised that the exercise provided an excellent opportunity to test EU structures and procedures, including notably the EU Operations Centre, under conditions of rapid response. Co-location of civilian and military experts in the CPCC and the EU Operations Centre very much facilitated this process. The Council underlined the importance of implementing the lessons identified during CME 09 in due course.

MILEX

76. The Council welcomed ongoing preparations for the conduct in June of MILEX 10 and for MILEX 11.

EU Satellite Centre (EUSC)

77. The Council welcomed the valuable support the EUSC provides to the ongoing EU civilian and military missions.

78. The Council encouraged the facilitated access of the EUSC to governmental imagery, as it is already the case with regard to HELIOS II imagery, and looked forward to the use of Cosmo-Skymed and Sar-Lupe imagery in the near future.

79. The Council welcomed ongoing work related to the role of the EUSC in Global Monitoring Environment Security (GMES), which will be further explored.

80. The Council took note with satisfaction of the progress made in cooperation with the US National Geospatial-Intelligence Agency (NGA), which should be further pursued as appropriate.

81. The Council noted the discussion ongoing on financial aspects of EUSC support to EU civilian missions.

IV. European Parliament and National Parliaments

82. The Council noted that in accordance with Article 36 of the Treaty on European Union, the European Parliament was regularly informed of CFSP/CSDP developments.

83. The Council welcomed the continued interest shown by the European Parliament as well as National parliaments of the Member States in ongoing CSDP missions, operations and activities. It underlined the importance of interparliamentary co-operation also in the field of CSDP and recalled Protocol 1, annexed to the Lisbon Treaty, on the role of national parliaments in the European Union.

V. Partnership to promote security

EU-UN

84. The Council emphasised the importance of EU-UN co-operation and coordination in crisis management, and underlined the need for their further strengthening, particularly in operational theatres where both the EU and the UN are involved, notably Somalia, Afghanistan, the Democratic Republic of Congo, Guinea Bissau and Kosovo. Continued exchange of know-how and lessons learned offers the potential for deepening this cooperation. The Council took note of the progress achieved in implementing the 2007 Joint Statement of EU-UN Cooperation in Crisis Management, including the regular meetings of the EU-UN Steering Committee, giving new impetus to coordination and cooperation in a number of geographic and thematic areas.

85. The Council emphasised the importance of enhancing the visibility of the EU positions and contributions on crisis management in all the relevant UN fora.

86. The Council welcomed the New Horizon initiative launched by the UN Secretariat and reaffirmed its commitment to contribute to the reform of UN peacekeeping.

87. The Council also expressed its support to the review process of the UN Peacebuilding Architecture.

EU-NATO

88. The Council recalled the objective of strengthening the EU-NATO strategic partnership in crisis management, in a spirit of mutual reinforcement and respect for their decision-making autonomy. The Council welcomed the efforts by the High Representative and the NATO Secretary General to foster progress in this area. In this context, the Council stressed that the continuing support of EU Member States and NATO Allies is of great importance. It encouraged further implementation of the EU proposals for concrete measures to reinforce EU-NATO relations which were transmitted to the NATO Secretary General in February 2010, and in this context efforts to promote transparency, coherence and inclusiveness between the EU and NATO as appropriate. It particularly stressed the importance of efficient operational cooperation between the EU and NATO concerning theatres in which the two organisations are both committed and the conclusion of agreements on solid and effective arrangements between EUPOL Afghanistan and ISAF as well as EULEX Kosovo and KFOR. As demonstrated by Operation ALTHEA, Berlin plus arrangements have proven to be effective and efficient.

89. The Council underlined the need for continued cooperation with NATO regarding the development of military capabilities. In this regard, it welcomed efforts to make the best use of the EU-NATO Capability Group, within the agreed framework, where requirements overlap. It has contributed towards transparency between the two organisations in accordance with the Capability Development Mechanism (CDM). With participation of senior policymakers from the capitals, as envisaged by the CDM, the Capability Group discussed issues regarding respective efforts to draw benefit from multinational cooperation, particularly in the field of logistics. In preparation of the Capability Group meetings, all Member States discussed in detail the agenda items and were briefed accordingly after these meetings. As recognised by the Council, in order to continue improving coherence, mutually reinforcing development of military capabilities and transparency, further efforts are needed to ensure effective working methods of the Capability Group, while inclusiveness through the participation of all the EU Member States would further facilitate exchange of information in the field of military capabilities.

90. The Council welcomed the expanded meetings between the HR and the NATO Secretary General, involving the strategic operational expertise of both sides. It emphasised the value reciprocal briefings of the PSC and the NAC, as well as the EUMC and the NATO MC, on operational issues of common interest. Regular staff to staff meetings on issues of common interest are important. PSC will continue being regularly informed.

91. The Council stressed that there is a potential for increased transparency, efficiency and coherence between the distinct CSDP Capability Development and NATO Defence Planning processes, in order to better inform sovereign national decisions on planning and the delivery of improved military capabilities. It welcomed continuing work, including at staff to staff level, to establish a common Information Gathering Tool available to all Member States, and a 'common language' for capability development within the EU. It noted that the overlapping capability shortfalls that emerge from the two distinct processes in the EU and NATO should be addressed in a coherent manner. In this context, the Council underlined the fundamental principles of the EU's integrity and autonomy of decision making, of a distinct EU process and of inclusiveness and participation of all Member States.

EU-AU Cooperation – Strengthening African Capabilities

92. The Council welcomed progress in the 'Peace and security' partnership between the EU and Africa and called for continued efforts in this regard. It welcomed the outcome of the Akosombo Conference in December 2009.

93. The Council welcomed the validation of the report of the AU/EU experts study as part of the first set of measures of the planned African Peace and Security Architecture (APSA) roadmap, during the workshop on support to African Training centres held in Nairobi in February 2010. The Council welcomed the progress achieved in AMANI AFRICA Programme and expressed its wish that the Command Post Exercise (CPX) be held before October 2010. The Council also welcomed the progress in the work to support African mediation capabilities.

94. The Council welcomed enhancement of cooperation between the AU situation room and the EU SITCEN and the EC Joint Research Centre (JRC), including technical support for the development of the Continental Early Warning System.

95. The Council stressed the need for the continued implementation of the joint EU-Africa Strategy and its Action Plan. In this regard, the Council also recalled the importance of close cooperation with the UN, including through the triangular EU-UN-AU dialogue for the strengthening of African capabilities and work on the predictable and sustainable funding for AU-led peace support operations undertaken.

Cooperation with Third States

96. The Council stressed the importance of engaging Third States in the field of CSDP. It commended their valuable involvement in CSDP missions and operations and encouraged further contributions in the future. At present, 14 Third States (Albania, Angola, Canada, Chile, Croatia, FYROM, Iceland, Montenegro, New Zealand, Norway, Switzerland, Turkey, Ukraine and the US) are contributing to 7 ongoing missions and operations.¹

97. The Council welcomed the important cooperation and coordination of a wide range of Third States with EUNAVFOR ATALANTA, and the potential for the development of further contacts with Third States, by building on these positive experiences (notably with China, India, Japan and Russia as well as with the US).

98. The Council noted the value of regular consultations with non-EU European NATO members and other countries that are candidates for accession to the EU, as well as informal gatherings between the members of the PSC, the non-EU members of NATO and other countries that are candidates for accession to the EU.

99. The Council welcomed the unique cooperation that is being established in the context of EUTM Somalia, with the United States, the African Union, Uganda and the TFG of Somalia, allowing for a task sharing to prepare a complete cycle of selection, training and reintegration of members of the Somali Security Forces.

100. The Council welcomed the continued dialogue and cooperation between Euro-Mediterranean partners in the CSDP field.

101. The Council commended the excellent cooperation with Canada in support of the AMANI Africa cycle for the development of African capabilities.

102. The Council noted the High Representative's recommendation to authorise the opening of negotiations of framework participation agreements with additional Third States. Such framework agreements would facilitate their future involvement in CSDP missions and operations. To date such agreements have been concluded with Canada, Iceland, Norway, Turkey and Ukraine. Framework participation agreements with Russia and Switzerland remain under negotiation.

1. EUPM and ALTHEA in BiH, EULEX Kosovo, EUPOL COPPS, EUPOL Afghanistan, EUPOL RD Congo and EUNAVFOR ATALANTA.

Western European Union

103. The Council noted the announcement of the decision by the States Parties to the Modified Brussels Treaty (Statement of 31 March 2010) to terminate the Treaty. It acknowledged the important contribution of the WEU in the development of the European security and defence architecture, including the substantial role of the interparliamentary WEU Assembly in developing a European culture on security and defence.

104. The Council encouraged as appropriate the enhancement of interparliamentary dialogue on CSDP issues, including with candidates for EU accession and other interested states.

Contacts with civil society / NGOs

105. The Council recalled the importance of co-operation with NGOs and civil society as a means to improve the impact of the CSDP missions and operations and encouraged its continuation both in Brussels and in the field, including through regular contacts.

VI. Other operational CSDP-related activities

106. The Council recognised the relevance to CSDP of other EU operational activities. It particularly noted the EU funded activities including overall action of the Instrument for Stability. The Council welcomed notably the activities carried out by EUBAM for the Republic of Moldova and to Ukraine as well as the activities of the EUSR for the South Caucasus Border Support Team.
(...)

Maritime security strategy – Council conclusions

The Council adopted the following conclusions:

‘The Union needs to actively contribute to a stable and secure global maritime domain by tackling the threats identified in the European Security Strategy, while ensuring coherence with EU internal policies, including the EU Integrated Maritime Policy (IMP). To achieve this, the interrelation between the civilian and military capabilities of the EU and Member States plays a key role, in accordance with the Treaties.

In this context the Council invites the High Representative, together with the Commission and the Member States, to undertake work with a view to preparing options for the possible elaboration of a Security Strategy for the global maritime domain, including the possible establishment of a Task Force. Work will take place in the context of CFSP/CSDP, within the framework of the European Security Strategy.’

CHAPTER 26

14th Africa-EU Ministerial Meeting

Luxembourg, 26 April 2010

(...)

2. Peace and security issues

Ministers exchanged views on peace and security issues of common concern and highlighted in particular the following points:

Sudan: Ministers welcomed the largely peaceful conduct of the recent elections in Sudan and commended the people of the Sudan for their active participation. Ministers noted the efforts to form a new government and called upon all parties to settle outstanding differences and to establish a broad political basis in view of the implementation of the remaining elements of the CPA. Both sides stressed the need for all parties to fully respect the CPA, to address the remaining implementation issues, in particular the holding of the referendum on Southern Sudan's self-determination in January 2011 and the necessary arrangements for the post-referendum period. Ministers appealed to all parties to abstain from any initiatives which might destabilize this process and to pursue confidence building. They stressed the importance of a close AU-EU cooperation. They encouraged the African Union High Level Implementation Panel for Sudan (AUHIP), led by President Thabo Mbeki, to continue to play an active role in contributing to a smooth conclusion of the CPA and assisting in the democratic transformation of the country. Ministers stressed that good cooperation and coordination between the UN missions in Sudan, the AU and IGAD as well as the other international actors remains essential.

Somalia: Ministers recalled the significance of the Agreement between the Transitional Federal Government (TFG) and Ahlu Sunnah Wal Jamaah signed in Addis Ababa on 15 March 2010 and emphasized the need to scale-up support for the initiative. They encouraged the signatories to ensure speedy and effective implementation, and called upon the TFG to pursue its policy of inclusiveness with a view to accommodating all Somalis committed to peace and national reconciliation in the framework of the Djibouti accord. The EU expressed its continued support for and appreciation of AMISOM and the AU's political engagement in Somalia. The AU expressed its appreciation for EU's efforts, and in particular for the support to the Somali security sector.

Democracy and Unconstitutional Changes of Government in Africa: Ministers recognized the recent initiatives and measures taken by the AU and reiterated their readiness to pursue

active coordination and cooperation to promote democracy throughout the continent and to combat unconstitutional changes.

African Peace and Security Architecture (APSA): Ministers expressed appreciation for the continuous operationalization of the APSA, including the future elaboration of the roadmap agreed in Akosombo (Ghana in December 2009) and welcomed the effective assistance provided by the EU to this effect. Ministers welcomed the ongoing work in combating the proliferation of small arms and light weapons.

(...)

CHAPTER 27

Middle East Peace Process – Declaration by Catherine Ashton

Brussels, 27 April 2010

The European Union is concerned by the public statements that have been exchanged recently between various parties to the Arab-Israeli conflict in the Middle East.

Such developments go against the efforts of the EU and its key partners, who are working constantly to address the problems that are hampering the Peace Process.

The EU has on several occasions reiterated its concern about the lack of progress in the Middle East Peace Process and has called for the urgent resumption of negotiations that will lead, within an agreed timeframe as specified by the Quartet, to the two-state solution.

The EU calls upon all parties to avoid any provocation and move towards lasting peace.

CHAPTER 28

19th EU-Japan Summit

Tokyo & Brussels, 28 April 2010

Catherine Ashton met today with Japanese Foreign Minister Katsuya Okada in Tokyo. During their meeting, both parties discussed a wide range of foreign policy and security issues such as nuclear proliferation, development, trade and relations with Iran, China and Africa. High Representative Ashton and Foreign Minister Okada principally agreed to explore ways to enhance cooperation in eradicating piracy off the coast of Africa. The High Representative also agreed to investigate Mr. Okada's specific proposal to set up joint police training missions in Africa and Afghanistan.

(...)

Japan – EU Cooperation in Afghanistan

8. Japan and the EU reconfirmed their intention to work together – and in active partnership with the Afghan government, the United Nations (UN) and other international partners – to promote a secure, stable and prosperous future for the people of Afghanistan. They welcomed their successful cooperation on the ground with the Provincial Reconstruction Teams. They confirmed their readiness to seek possible cooperation on security, reintegration and development assistance, in the context of the EU's Action Plan for Afghanistan and Pakistan adopted in October 2009 and Japan's assistance package to Afghanistan and Pakistan announced in November 2009. In this regard, they decided:

- To continue to explore cooperation between Japan and the EU in the field of assistance for the capacity building of the Afghan police including improvement of facilities in Ghor Province.
- To hold a capacity building seminar in Tajikistan that aims to enhance border management capacity of the countries neighbouring Afghanistan.

Japan's contribution to the EU Common Security and Defence Policy

9. Summit leaders underlined the importance of supporting national efforts of countries emerging from conflict to achieve sustainable peace. Japan highly appreciated crisis management and post-conflict peace-building activities being conducted by the EU under the Common Security

and Defence Policy (CSDP). Japan expressed its interest in contributing civilian personnel to CSDP civilian missions for the first time and the EU welcomed it.

Joint efforts on counter-piracy

10. Summit leaders reiterated the importance of continuing their efforts to address the increasing threat posed by pirates to the safety of maritime navigation off the coast of Somalia and the Gulf of Aden and to stability in the region. They commended the fruitful interaction to this end between the units of the Japan Maritime Self-Defence Force and EU NAVFOR Somalia – Operation ATALANTA present in the zone. They decided to coordinate in supporting the activities of the planned Djibouti regional training centre and the information-sharing centres in Yemen, Kenya and Tanzania.
(...)

Promoting peace and security

15. Summit leaders welcomed the signing of the new START treaty by the United States and the Russian Federation. Summit leaders reaffirmed the commitment to seeking a safer world for all, and to creating the conditions for a world without nuclear weapons, in accordance with the goals of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). They also expressed their intention to redouble efforts on practical measures to accomplish that purpose such as the pursuit of comprehensive reductions of nuclear arsenals. They called on all states to join this endeavour.

16. Summit leaders welcomed the successful outcomes of the Nuclear Security Summit held in Washington D.C. on 12-13 April 2010, and reaffirmed their commitment to strengthening nuclear security worldwide.

17. Summit leaders shared the opinion that Japan and the EU should cooperate closely, with a view to ensuring that the 2010 NPT Review Conference is successful in strengthening the Treaty, reaffirming its central role in the international disarmament and non-proliferation regime, and attaining a meaningful and balanced outcome on its three pillars, namely disarmament, non-proliferation and the peaceful uses of nuclear energy.

18. Summit leaders, given the importance of the role that the International Atomic Energy Agency (IAEA) plays in both nuclear non-proliferation and the peaceful uses of nuclear energy, stressed that the comprehensive safeguards agreement together with the additional protocol should become the verification standard.

19. Summit leaders expressed serious concern over Iran's nuclear programme and continued failure to meet its international obligations. They regretted that Iran has so far not seized the opportunity to engage constructively with China, France, Germany, Russia, the United Kingdom, the United States of America, and the High Representative of the EU for Foreign Affairs and Security Policy. They strongly urged Iran to cooperate fully with the IAEA and to comply without delay with the relevant UN Security Council Resolutions. They reaffirmed the importance of unity of the international community and expressed – consistent with the

dual-track approach - their commitment to take necessary measures, including additional UN sanctions, for a peaceful resolution.

20. Summit leaders welcomed the convening of the UN Conference on the Arms Trade Treaty in 2012 which aims to elaborate a legally binding instrument on the highest possible common international standards for the transfer of conventional arms. They reaffirmed that Japan and the EU will cooperate closely to achieve a strong and robust treaty.

Regional issues

21. Given the growing role of China within the region as well as in international relations, Summit leaders stressed the importance of working with China as a responsible and constructive partner in the international community. The Japanese leader expressed the view that the issue of arms embargo deserves careful consideration in the light of the regional security environment.

22. Summit leaders recognised the necessity of addressing the outstanding issues of concern with North Korea, in particular the nuclear issue, the missile issue and the human rights issue, including the abduction issue. They reaffirmed the importance of the steady implementation of the UN Security Council Resolutions 1718 and 1874. Furthermore, they urged North Korea to take positive and concrete measures, with a view to the complete, verifiable and irreversible denuclearisation, including prompt return to the Six-Party Talks without preconditions and to the full implementation of the September 2005 Joint Statement.

(...)

Annex

Non-proliferation and disarmament

Summit leaders reaffirmed that they would work closely together for an early entry into force of the Comprehensive Nuclear Test-Ban Treaty, the completion of its verification regime, and the dismantling as soon as possible of all nuclear testing facilities in a manner that is transparent and open to the international community. They also concurred on the need to work together for the opening without delay and without preconditions of negotiations for a treaty banning the production of fissile material for nuclear weapons, with verification provisions, in the Conference on Disarmament (CD).

Summit leaders also shared their intention to strengthen existing Japan-EU cooperation on outer space, in the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS), the Conference on Disarmament and as regards the EU initiative on “Code of Conduct for outer space activities”.

Counter-terrorism

Summit leaders reiterated their strong commitment to the fight against terrorism and support for the UN Global Counter-Terrorism Strategy. In this regard, they exchanged appreciation for their respective assistance efforts to build counter-terrorism capacity in countries such as Pakistan and Yemen, and in the Southeast Asian region.

(...)

Responsibility to protect

Summit leaders also stressed the need for the UN General Assembly (UNGA), in accordance with the UNGA resolution 63/308, to continue considerations of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the UN Charter and international law, as stated in the 2005 World Summit Outcome.

(...)

Middle East Peace Process

Summit leaders stressed the special importance of making efforts to establish a just, comprehensive and lasting peace in the Middle East. They shared the view of a two-state solution with the State of Israel and an independent, democratic, contiguous and viable Palestinian State, living side by side in peace and security. They shared the view that the resumption of peace negotiations between Israel and the Palestinians is urgently needed. Summit leaders expressed strong support to the efforts by the Palestinian Authority to implement its state-building plan and its commitment to further invest in the Palestinian institutions, and indicated that they will explore possibilities for further coordination to promote the Middle East Peace Process, including cooperation in Palestinian State-building efforts.

Myanmar

The Summit leaders expressed their concerns about the recently adopted restrictive electoral laws. They called for the elections planned for 2010 to be transparent, fully inclusive, free and fair. They also called on the Government of Myanmar to release all political prisoners, including Daw Aung San Suu Kyi. The Summit leaders expressed their readiness to respond positively to substantive political progress. They reaffirmed their full support for the UN Secretary General's Mission of Good Offices and called on the Government to cooperate fully with him.

Sri Lanka

Summit leaders took note of the results of the Presidential and the recent Parliamentary elections in Sri Lanka. In this context, they urged the Government and all communities in Sri Lanka to make concrete efforts to overcome the divisions of the past and to move on to genuine reconciliation, in order to achieve long-term security and prosperity. Summit leaders will work together to encourage and support Sri Lankan efforts to achieve these goals.

Africa

Summit leaders reconfirmed their intention to cooperate closely with Africa including the African Union and to continually support Africa's development and progress including towards the MDGs through the TICAD (Tokyo International Conference on African Development) process and under the Joint Africa-EU Strategy. Furthermore, recognising the importance of peace and security in Africa, they shared the view that they would actively extend assistance for enhancing Africa's peace-keeping capability as well as for promoting democratisation.

CHAPTER 29

NPT Review Conference – Speech by Catherine Ashton

New York, 3 May 2010

Speech by HR Catherine Ashton, at the Nuclear Non-Proliferation Treaty (NPT) Review Conference

I have the honour to speak on behalf of the European Union. The Candidate Countries, Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina and Montenegro as well as Ukraine and the Republic of Moldova align themselves with this declaration.

I would like, first of all, to congratulate you on your appointment as President of this 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). We are aware of the numerous informal consultations you have yourself undertaken in preparation for this conference and commend your work in this regard. We are ready to support you in all possible ways in your efforts to achieve a substantive and balanced outcome at this Review Conference.

Mr. President,

The NPT, based on the three mutually reinforcing pillars of non-proliferation, disarmament and the peaceful uses of nuclear energy, represents a unique and irreplaceable framework for maintaining and strengthening international peace, security and stability. Given the current challenges in the field of international security, in particular the risks of proliferation, we are convinced that the NPT is more important now than ever. It is our duty to maintain and strengthen its authority and integrity, to continue to advocate its universality. To this end, the EU will continue to promote all the objectives contained in the Treaty.

We meet today amidst a renewed momentum in global arms control and disarmament and an international public debate on ways to advance all the objectives enshrined in the Treaty. We welcome and strongly support the important Resolution 1887 adopted unanimously at the meeting held by the United Nations Security Council, at the level of Heads of State and Government, on 24 September 2009, on nuclear nonproliferation and nuclear disarmament. We also welcome the successful conclusion of negotiations and the signature of a significant new agreement between the United States and the Russian Federation on a Strategic Arms Reduction Treaty and we look forward to its swift ratification. We encourage both States concerned to work towards new agreements for further, comprehensive reductions of their nuclear arsenals, including non-strategic weapons. We appreciate their renewed engagement on other strategic

issues related to disarmament and non-proliferation. Consistent with the longstanding and significant support provided by the EU to global nuclear security efforts, we have actively contributed to the successful outcome of the Washington Nuclear Security Summit.

The European Union reaffirms its commitment to seeking a safer world for all and to creating the conditions for a world without nuclear weapons, in accordance with the goals of the NPT. We are convinced that intermediate steps on our path towards this objective can also represent significant increases in security for all. The EU is working for general disarmament, notably nuclear disarmament, and welcomes and supports the nuclear disarmament measures and initiatives taken by the two nuclear-weapon States which are members of the European Union. We also reaffirm our commitment to treaty-based nuclear arms control and disarmament and underline the need to renew multilateral efforts and reactivate multilateral instruments, in particular the Conference on Disarmament.

Strengthening the non-proliferation regime should be a key priority for all States in order to prevent the proliferation of weapons of mass destruction and their means of delivery, which undermines the security of all nations. In that respect, the EU remains gravely concerned by the major proliferation challenges posed by the Democratic People's Republic of Korea (DPRK) and the Islamic Republic of Iran, who have both continued to violate their international obligations in clear defiance of the United Nations Security Council and the IAEA, despite repeated and ambitious offers by the international community to discuss these issues, pursue comprehensive and fair negotiations and work for a diplomatic solution. All NPT States Parties must ensure strict compliance with non-proliferation obligations and take resolute action, including the enforcement of UN Security Council Resolutions, in response to the challenges posed by these countries to the non-proliferation regime and to regional and international security.

The European Union is of the firm view that each country has the right to define its own energy strategy and, in this context, we reaffirm the inalienable right of all NPT States parties to the peaceful uses of nuclear energy, in conformity with all their NPT obligations. The EU notes that a growing number of States Parties to the NPT show interest in developing civil nuclear programmes aimed at addressing their long-term energy requirements. Conscious of its obligations under Article IV of the Treaty, the EU will work towards promoting a responsible development of peaceful uses of nuclear energy in the best safety, security and non proliferation conditions, in countries wishing to develop their capacities in this field, within a framework ensuring that technologies and goods are not disseminated for purposes other than peaceful uses. In this regard, the European Union, as a major provider of international assistance, will continue to cooperate actively with third countries and provide its full support to the IAEA, including as a major contributor to the IAEA's Technical Cooperation Fund, with a view to promoting international cooperation for the peaceful uses of nuclear energy, promoting nuclear safety and security, and strengthening effective safeguards to prevent nuclear proliferation.

The EU calls upon all States Parties to live up to both challenges and opportunities and work constructively towards reaffirming the fundamental principles underlying the Treaty, in order to reinforce this unique and irreplaceable multilateral instrument for maintaining and reinforcing international peace, security and stability. At this crucial juncture, a combined effort by all States Parties is necessary to strengthen the Treaty in all its three pillars, which serves the security interests of all.

The EU stresses the absolute necessity of full compliance with all the provisions of the NPT by all States Parties. We also underline the need for policies and strategies of States Parties to be consistent with these provisions.

The Review Conference should help us to foster a sense of common purpose among States Parties and create a more secure international context by expressing renewed support from the entire international community for the goals and obligations of the NPT, by addressing the main issues at stake within all three pillars of the Treaty, and by demonstrating the capacity of the review cycle to give appropriate responses to these challenges. The Review Conference should identify areas in which, and means through which, further progress should be sought in the near future.

We must seize the opportunity of this Review Conference to move forward toward a safer world, one in which it is possible to meet all the objectives enshrined in the NPT, whether they be disarmament, non-proliferation or the peaceful uses of nuclear energy. The EU has come to this meeting with a firm determination to strengthen the international nuclear non-proliferation regime and to help build consensus for a successful outcome of the 2010 NPT Review Conference, on the basis of two basic principles:

- A balanced approach between the three pillars in the review of the operation of the NPT is essential;
- The Review Conference should adopt a set of balanced, concrete, effective, pragmatic and consensual measures for stepping up international efforts against proliferation, pursuing disarmament and ensuring a responsible development of peaceful uses of nuclear energy. We continue to support the decisions and the implementation of the resolution on the Middle East adopted at the 1995 NPT Review and Extension Conference as well as the Final Document of the 2000 NPT Review Conference, and shall bear in mind the current situation.

We continue to work towards the universality of the NPT and call once again on those States not yet party to the NPT to join the Treaty as Non Nuclear Weapon States and, pending their accession to the NPT, to adhere to its terms and pledge commitments to non-proliferation and disarmament.

Mr. President,

I wish to recall that the EU has elaborated forward-looking proposals on all three pillars of the NPT, introduced as Working Paper 26 at the Third PrepCom, which could be part of an action plan to be adopted at this 2010 Review Conference. The Council of the European Union has recently adopted a Decision relating to the position of the European Union for the 2010 NPT Review Conference. Within the new EU Council Decision, we have identified the following priorities that we consider should be addressed by States Parties at this 2010 Review Conference:

- a reaffirmation by all States parties of their commitment to comply with their obligations and to fulfil the goals of the NPT and towards universal accession to the NPT;
- strengthening the implementation of the Treaty through the adoption of a set of concrete, effective, pragmatic and consensual measures for stepping up international efforts against proliferation, pursuing disarmament and ensuring a responsible development of peaceful uses of nuclear energy and making progress on implementing the NPT 1995 Middle East Resolution;
- reaffirming the commitment to and stressing the need for concrete advancements on the nuclear arms control and disarmament processes, especially through an overall reduction in the global stockpile of nuclear weapons, in accordance with Article VI of the NPT, taking into account the special responsibility of the States that possess the largest arsenals, and agreement on specific and early measures, including achieving rapid entry into force of the CTBT and the start of negotiations in the Conference on Disarmament on an FMCT as

indispensable steps towards fulfilment of the obligations and final objective enshrined in Article VI of the NPT;

- strengthening the effectiveness and comprehensiveness of the non-proliferation regime through making the conclusion of a Comprehensive Safeguards Agreement together with the Additional Protocol the verification standard, under Article III of the NPT;
- strengthening the Treaty through a common understanding of States parties on how to respond effectively to a State's withdrawal from the Treaty;
- upholding the Treaty, bearing in mind current major proliferation challenges, in particular in the Democratic People's Republic of Korea and the Islamic Republic of Iran, through a common understanding of States parties on how to respond resolutely and effectively to cases of non-compliance;
- broadening acceptance and support of the concept of responsible development of the peaceful uses of nuclear energy in the best safety, security and non-proliferation conditions and of multilateral approaches to the nuclear fuel cycle.

Mr. President,

The European Union has come to this Review Conference fully aware of its significance and of the importance of reaching a common understanding for concrete advances in all three pillars of the NPT. As we commence our work, let me assure you and all States parties to the NPT of our willingness to engage in serious and pragmatic discussions and negotiations to achieve a balanced and successful outcome, which should chart our future course for a strengthened non-proliferation regime.

Thank you, Mr. President.

CHAPTER 30

UN Security Council – Statement by Catherine Ashton

New York, 4 May 2010

Less than six months after the entry into force of the Lisbon Treaty, HR Catherine Ashton underlined, this afternoon, before the Security Council, the European Union's commitment to an 'active partnership' with the United Nations in the area of peacekeeping and international security. The major objective of EU foreign policy was the 'development of an effective multilateral system, the centre of which is a strong United Nations.'

Statement by High Representative Catherine Ashton at the UN Security Council

I am grateful for the opportunity to speak at the Security Council about the growing co-operation between the United Nations and the European Union in the area of peace and security.

The European Union attaches great importance to its partnership with the UN. A core objective of EU foreign policy is the development of an effective multilateral system with a strong UN at the centre. The UN Charter and this Security Council are the primary framework for the rules-based international system that we seek.

The reasons behind the creation of the UN are similar to those that originally drove European integration: 'to save succeeding generations from the scourge of war'. Today, the UN and the EU need to promote the ideals that inspired earlier generations – peace, justice, human rights, the whole notion that power relations among states must be subjected to the rule of law – in a new world.

We share many objectives and we work closely together, at Headquarters and in the field. We are convinced that complex problems require comprehensive, global solutions. We agree we must advance the causes of security, human rights and sustainable development together – otherwise none will succeed.

It is no surprise then that EU Member States jointly constitute the largest contributors to the UN regular and peacekeeping budgets. But this partnership is about much more than money. The EU is a strong supporter of the UN in political and operational terms.

The EU and the UN are working together on the ground in 8 major crisis theatres – in Europe, Africa, the Middle East and Asia. The EU currently reports to this Security Council on three of its ongoing operations.

Given the UN's mandate in the area of peace and security and given the expansion of EU external action in recent years, it is logical that we have built a growing partnership in peace

and security – which has complemented our long-standing co-operation in development and humanitarian assistance.

For example in the 1990s we worked closely together to try prevent and curtail the tragic and unnecessary wars in the Balkans. Since then, much progress has been made but our joint work there is not yet complete. With respect to Bosnia-Herzegovina steps remain to be taken to secure a well-functioning state. Further work is also needed in other countries of the region for them to succeed on their path of eventual succession to the European Union – which remains our goal. In the Balkans as much as elsewhere, we know that a lasting peace depends not so much on foreign intervention but on the efforts and commitment of local political leaders themselves. I am speaking at the Security Council at a special moment in the development of the European Union. The Lisbon Treaty is now in force. This is a historic step which matters to Europeans and non-Europeans alike.

The Lisbon Treaty offers the opportunity to strengthen the EU's international impact and strategic vision, through streamlined decision-making and greater policy coherence and consistency. Work is advancing on the creation of the European External Action Service, which will operate under my authority. It will integrate diplomats from the EU institutions and the Member-States. It will also direct the Delegations of the EU around the world, including here at the United Nations. The European External Action Service will lead to more integrated policy-making and delivery, by bringing together all the instruments of our global engagement – political, economic and crisis management – in support of our strategic goals.

This should also make the EU a better partner for the UN. And I ask for the support of all UN Member-States to support efforts so that EU representatives can act efficiently within the UN – to maximise the EU's contribution to achieving common UN goals.

In my short period in office as High Representative, I have established an important working relationship with the UN Secretary General. We have discussed many issues which also top the agenda of the Security Council. These include piracy and the situation in Somalia, Sudan, the Middle East Peace Process, and the serious concerns about Iran's nuclear activities and its persistent refusal to abide by several Resolutions of the Security Council. We have also discussed issues like climate change and the Millennium Development Goals that affect the wider international security landscape. The impact of climate change threatens the future of millions of people. It could worsen existing situations of fragility and insecurity – and it could create new conflict constellations. For the Millennium Development Goals, it is important that we step up our efforts, particularly in those areas where improvements have been modest.

There is a growing consensus internationally on the need to apply a comprehensive approach to crisis management and peace-building. The same goes for the need to take into account the evident links between security, development and human rights.

Along with comprehensive approaches we also need to ensure our efforts are tailor-made, reflecting the precise nature of every challenge. This is true for individual conflicts. But it also applies to over-arching topics such as the role of women in peace and security. This year we mark the 10th anniversary of Security Council Resolution 1325 which was a milestone in making the entire international community more aware of and focused on the specific needs and concerns of women in the area of peace and security.

Mr President, allow me to illustrate how the EU is contributing to the UN's work in peace and security with some concrete examples, beginning with conflict prevention.

In many crisis zones, Special Representatives of the Secretary General and the EU work hand in hand. Indeed, mediation and mediation support are now growing elements of EU-UN co-operation.

Sometimes we act directly ourselves; at other times we back the efforts of others. For example, in Darfur, the EU has provided support through the Trust Fund set up by the Secretary General to facilitate the mediation efforts led jointly by the UN and the African Union.

In the area of crisis management, civilian and military, our co-operation has developed significantly over a short period of time. In 2003 we launched Operation Artemis at the request of the UN and the Government of the Democratic Republic of Congo to protect the people in Bunia, Eastern Congo. This was the first time the EU assisted the UN in the area of peace and security. This operation opened a new chapter in our cooperation. It was followed later on by a backup force to support the UN at the time of the elections.

In some places we have supplemented the UN, for example in Kosovo, after the reconfiguration of UNMIK. In other places we have preceded the UN; for example in Chad, where our force to protect refugees from Darfur was succeeded by MINURCAT.

And in yet others we are reinforcing an on-going UN operation – for example in Afghanistan with EUPOL. Or we are working closely with both UN and regional partners. Take our naval operation Atalanta, combined with the training mission for the security forces in Somalia. The latter is set within a UN framework of support for the Transitional Federal Government.

As part of our comprehensive approach to the piracy problem, the EU Stability Instrument has been supporting the efforts of Kenya and the Seychelles to prosecute piracy suspects. We do this with a programme developed jointly with the UN Office on Drugs and Crime.

One of our biggest priorities is to assist our African partners in the development of their capabilities on conflict prevention, crisis management and peacebuilding. We have created a specific financial instrument, the African Peace Facility, to underpin this work.

With respect to the whole conflict cycle, special efforts are needed on peacebuilding. Too many conflicts re-emerge or linger and prolong the need for international engagement. In all this, the leading role of the Security Council is evident.

But I also want to mention our joint efforts in the Peace Building Commission. It is essential to bring together all resources to help countries succeed on the path of post-conflict recovery. The EU has expertise in these areas and it is the biggest donor to all four countries on the agenda of the Peace Building Commission. Five years after its creation, this is a good moment to take stock and see what can be improved.

In the areas of long-term stabilisation and development we are working closely with the whole UN family. In Haiti, after the devastating earthquake, our joint actions are a good example of how we can maximise EU-UN synergies. The EU responded rapidly to UN calls for assistance ranging from humanitarian aid to military assets. We now need to pull together with clear plans for long-term reconstruction.

The fight against impunity for the most serious crimes remains a key factor in peacebuilding and conflict prevention. That is why the EU is a staunch supporter of the International Criminal Court. Promoting the universality of the Court and bolstering the enforcement of the Court's decisions are among the key topics for the upcoming Review conference in Kampala.

Mr President,

Perhaps I could finish by underlining three things:

First that the EU is strongly committed to an active partnership with the UN: promoting peace, protecting the vulnerable and helping people to live in safety and dignity.

Second, that this partnership has grown rapidly in recent years and has demonstrated its added value on the ground. There is a good deal we have achieved together. But there is even more work to be done.

And third, that with the Lisbon Treaty's the EU's potential will increase. We should become more capable; better able to bring politics and economics together. And better at combining different forms of intervention within a political strategy. As a result, I hope we shall be a stronger partner for the UN.

Thank you very much.

CHAPTER 31

Meeting of the European Union Military Committee at Chiefs of Defence level

Brussels, 4 May 2010

The Chiefs of Defence (CHODs) of the 27 European Member States met today in Brussels, under the chairmanship of General Håkan Syrén, to discuss the state of play regarding the military operations currently conducted by the European Union and the main activities carried out in the Union to improve European military capabilities.

During the information session, CHODs agreed an EUMC (EU Military Committee) Strategic Plan recording the strategic priorities and related key actions to be used to guide the further work of the Military Committee.

The operations session was opened by Gen. John McColl, the Commander of Operation EUFOR Althea, who provided the forum with his assessment of the current situation in Bosnia Herzegovina and referred to the possible future force posture options and associated challenges.

Coming to EUNAVFOR Atalanta, Rear Admiral Peter Hudson, Operation Commander, presented an analysis of the EU's commitment in the Gulf of Aden and off the coast of Somalia, stimulating the debate on optimising the employment of Vessel Protection Detachments.

Finally, the Head of the Mission Headquarters Support Cell of the EU Training Mission (EUTM) Somalia provided the CHODs with an overview of the Mission and briefed them on the preparations to deliver training.

The capabilities session was dedicated to the main activities launched in the framework of the Capability Development Plan and to the recommendations of the Wise Pen Team's report on Maritime Surveillance. The session included a discussion on the role of the EUMC in EU capability development.

Beside the formal sessions of the meeting, CHODs were updated by Gen. Svyda, Ukrainian Chief of General Staff and Commander-in-Chief, on the transformation process of the Ukrainian Armed Forces and on Ukraine's preparedness to contribute to regional security and Common Security and Defence Policy (CSDP) activities, in particular EUNAVFOR Atalanta and EU Battlegroups. Moreover Mr. Alain Le Roy, United Nations Under-Secretary General for Peacekeeping Operations (PKOs), provided CHODs with his perspectives on PKOs and on practical measures to further strengthen UN peacekeeping.

* * *

The European Union Military Committee (EUMC) is the highest military body set up within the Council. It exercises military direction of all EU military activities and provides the Political and Security Committee (PSC) with advice and recommendations on military matters. The EUMC is composed of the Chiefs of Defence (CHOD) of the Member States, who are regularly represented by their permanent Military Representatives (MilReps).

CHAPTER 32

EU-Canada Summit

Brussels, 5 May 2010

Press Statement

(...)

On the **non-proliferation of nuclear weapons**, leaders underlined their deep concern about the Iranian nuclear programme and their support for the adoption of a new United Nations Security Council sanctions resolution, should Iran fail to give a satisfactory response to the international community's offer of engagement. The EU and Canada agreed to work together towards a substantive and balanced outcome of the Review Conference on the Treaty on the Non-Proliferation of Nuclear Weapons, to occur this month in New York, with progress on all three pillars of the Treaty: nuclear non-proliferation, nuclear disarmament, and peaceful uses of nuclear energy.

Leaders stressed that both the EU and Canada will keep pursuing a high level of ambition to tackle **climate change** challenges. They agreed that adaptation to and mitigation of climate change remains a key global challenge, and will require supportive energy policies. Cooperation should focus on financing mechanisms as well as on support to clean development in third countries. Integrating the agreements contained in the Copenhagen Accord into the UNFCCC negotiating texts will be critical to advance the negotiation for the United Nations Climate Change Conference at the end of 2010.

Leaders expressed their commitment to deepen **cooperation on crisis management activities**. Both sides welcomed the active cooperation to date, notably in ongoing Common Security and Defence Policy missions in challenging environments including Afghanistan, Kosovo and the Palestinian territories.

In **Afghanistan**, leaders welcome current and future opportunities to work together, notably on police reform, and also on border issues through productive fora such as the Dubai Process and the G8 Afghanistan Pakistan Border Region Prosperity Initiative.

Leaders re-affirmed the long term commitment and support of the EU and Canada to the reconstruction of **Haiti**. They underlined the importance of international donor coordination and of maintaining Haitian national ownership of the reconstruction process.

(...)

CHAPTER 33

Europe Day – Statement by Catherine Ashton

Brussels, 9 May 2010

Statement by HR Catherine Ashton at the occasion of Europe Day 2010 on 9th May

Exactly 60 years ago on 9 May 1950 the declaration of the great European Robert Schuman laid the ground for a united, stable and peaceful Europe, that would emerge from the ashes of two devastating world wars.

This historical declaration and its great significance continue to lead the integration project on the European continent and inspire partnerships we forge beyond the borders of Europe.

Europe Day has become the symbol of a new beginning, of a free and successful way of peaceful cooperation between sovereign nations, based on shared values and common interests such as peace, solidarity, democracy, welfare of people and the rule of law.

On the occasion of Europe Day 2010 I would like to underline that Europe wants to work even more closely with its partners around the world. Only together will we be able to create policies and initiatives to tackle the challenges the world is facing in the 21st century.

We have to find effective answers to a wide range of risks and threats: the fragility of states, terrorism, organised crime as well as the wider issues that affect our citizens: energy, climate change and the competition for natural resources, pandemics, illegal migration and human trafficking, financial and economic issues, trade, health and demography.

Europeans are united in the way they perceive foreign policy and the external action. There is consensus for more cooperation, coherence, visibility and joint action. The European Union is reshaping its capacity to respond adequately to the new challenges.

At the heart of these changes is the European External Action Service (EEAS), one of the central innovations of the Lisbon Treaty that came into force on 1st December 2009.

The EEAS will strengthen the impact of EU values and interests around the globe. It will enable the EU to have a more ambitious, effective, coherent and visible foreign policy.

The EEAS will be our principal interface with international partners; i.e. Europe's 'eyes, ears and face' in our day-to-day dealings abroad. It will promote comprehensive policies in a strategic manner.

I am convinced that the EEAS will bring new level of comprehension and cooperation in our partnerships, to the benefit of all of us.

The EEAS will be set up 60 years after the adoption of the Schuman declaration, very much in its spirit.

Happy Europe Day!

CHAPTER 34

Foreign Affairs Council

Brussels, 10 May 2010

(...)

Somalia and piracy

The Council discussed the situation in Somalia, focusing on piracy and the issue of the prosecution of suspected pirates captured by ships taking part in Operation EU NAVFOR Atalanta. The High Representative briefed ministers on ongoing contacts with the Kenyan authorities. She indicated that she would be visiting the region shortly, beginning with Kenya.

The EU has concluded transfer agreements with Kenya and the Seychelles. Agreements with other countries in the region are under discussion. The EU is committed to a regional approach, based on regional ownership and EU support for the countries in the region in their efforts to ensure the prosecution and detention of suspected pirates.

EUNAVFOR Somalia – Operation ATALANTA was launched in December 2008 to contribute to the protection of World Food Programme vessels delivering food aid to displaced persons in Somalia, to the protection of vulnerable vessels sailing in the Gulf of Aden and off the coast of Somalia and to the deterrence, prevention and repression of acts of piracy and armed robbery. As part of its efforts to support stability and security in Somalia, the EU just launched a training mission (EUTM) in Uganda to train Somali troops.

Nuclear non-proliferation

The Council had an exchange of views on nuclear issues, against the background of increased global attention as illustrated by the new START treaty, the Washington Nuclear Security Summit in April and the Nuclear Non-Proliferation Treaty (NPT) review conference that is currently under way in New York (3-28 May). The High Representative, who participated in the opening session of the NPT Review Conference, briefed the Council on the conference and on meetings held in the margins.

In 2003, EU heads of State and government adopted an EU Strategy against the proliferation of weapons of mass destruction. The EU provides significant political and financial support to international organisations such as the IAEA and to international instruments such as the NPT and the CTBT.

Iran

The Council discussed the situation in Iran, notably human rights and the Iranian nuclear programme and Iran's failure to meet its international obligations under UN Security Council and IAEA resolutions. The High Representative reported on her discussions on this issue with various foreign ministers during her visit to the United Nations in New York. Ministers reaffirmed the EU's dual-track approach. The EU supports the UN Security Council process on new restrictive measures against Iran. It will also continue to keep the door open for negotiations if Iran shows real willingness to negotiate constructively over its nuclear programme.

(...)

South Korea-EU agreement

Brussels, 10 May 2010

EU and South Korea sign a new framework agreement for bilateral relations

The European Union and the Republic of Korea met today, in the margins of the Foreign Affairs Council, to sign a new Framework Agreement on the relations between the EU and Korea. On the side of the EU the agreement was signed by High Representative for Foreign Affairs and Security Policy/Vice-President of the European Commission Catherine Ashton as well as Foreign Ministers of EU Member States. South Korean Foreign Minister Yu Myung-Hwan was in Brussels to sign on behalf of his country.

High Representative Ashton said: 'Today's signing of a new Framework Agreement is an important step in our relations. South Korea is a key like-minded partner in an increasingly important part of the world. This Framework Agreement is an expression of our common values. It provides a basis for strengthened cooperation and dialogue across the board, including on major political and global issues (human rights, non-proliferation of weapons of mass destruction, counter-terrorism, climate change, energy security, etc).'

The Framework Agreement addresses a broad range of global issues and areas of international concern, which include non-proliferation of weapons of mass destruction, cooperation in the fight against terrorism, climate change, energy security and development assistance. The text naturally includes standard political clauses – human rights, weapons of mass destruction, small arms and light weapons, counter-terrorism, the International Criminal Court and migration – and provisions for socio-economic cooperation, including cooperation in the field of justice. It provides a basis for deepening and broadening co-operation across the board.

Together with an ambitious and comprehensive Free-Trade Agreement (FTA) this framework agreement will establish a good basis for strengthened partnership between the EU and Korea as global players.

After the signing ceremony, High Representative Ashton and Foreign Minister Yu had a separate bilateral meeting.

CHAPTER 36

Middle East Peace Process – Proximity Talks

10 & 11 May 2010

Declaration by HR Catherine Ashton on the launch of proximity talks between Israel and the Palestinians

Brussels, 10 May 2010

The European Union welcomes the launch of proximity talks between Israel and the Palestinians and emphasizes that the proximity talks should lead as soon as possible to the resumption of direct bilateral negotiations that, within 24 months as specified by the Quartet, resolve all final status issues and lead to the two-state solution with the State of Israel and an independent, democratic, contiguous and viable State of Palestine, living side by side in peace and security. The EU reconfirms its support for the United States' mediation efforts. The European Union will remain actively involved, including in the framework of the Quartet, along the lines agreed in Moscow on March 19 2010. It reiterates that a comprehensive peace in the region that must include also the Syrian and Lebanese tracks must be achieved on the basis of the relevant UN Security Council Resolutions, the Madrid principles including land for peace, the Roadmap, the agreements previously reached by the parties and the Arab Peace Initiative. Recalling its December 2009 Council conclusions on the Middle East, the European Union calls on the parties and on all regional and international actors to support this political process, including through confidence building measures, and to refrain from any provocation or unilateral measure that could jeopardize it.

Quartet statement

11 May 2010

The Quartet welcomes the first round of proximity talks between Israelis and Palestinians. These talks are a significant step toward direct, bilateral negotiations and comprehensive peace in the Middle East based on the establishment of an independent and viable Palestinian state living side by side in peace and security with Israel and its neighbors. The Quartet calls on the parties to pursue these talks in good faith and offers its support for their efforts. The Quartet calls on all concerned to promote an atmosphere conducive to the talks and to act on the basis of previous agreements and obligations.

EUBAM Rafah – Council Decision

Brussels, 12 May 2010

Council decision 2010/274/CFSP amending and extending Joint Action 2005/889/CFSP on establishing a European Union border assistance mission for the Rafah crossing point (EU BAM Rafah)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28 and 43(2) thereof,

Whereas:

- (1) On 25 November 2005, the Council adopted Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah)⁽¹⁾.
- (2) On 10 November 2008, the Council adopted Joint Action 2008/862/CFSP²² amending Joint Action 2005/889/CFSP and extending it until 24 November 2009.
- (3) On 20 November 2009, the Council adopted Joint Action 2009/854/CFSP⁽³⁾ amending Joint Action 2005/889/CFSP and extending it until 24 May 2010.
- (4) EU BAM Rafah should be further extended until 24 May 2011 on the basis of its current mandate.
- (5) It is necessary to lay down the financial reference amount intended to cover the expenditure related to EU BAM Rafah for the period from 25 May 2010 to 24 May 2011,

HAS ADOPTED THIS DECISION:

Article 1

Joint Action 2005/889/CFSP is hereby amended as follows:

1. The first paragraph of Article 2 is replaced by the following:

(1) OJ L 327, 14.12.2005, p. 28.

(2) OJ L 306, 15.11.2008, p. 98.

(3) OJ L 312, 27.11.2009, p. 73.

‘The aim of EU BAM Rafah is to provide a Third Party presence at the Rafah Crossing Point in order to contribute, in cooperation with the Union’s institution-building efforts, to the opening of the Rafah Crossing Point and to build up confidence between the Government of Israel and the Palestinian Authority.’;

2. Article 4a(2) is replaced by the following:

‘2. The Civilian Operation Commander, under the political control and strategic direction of the Political and Security Committee (PSC) and the overall authority of the High Representative of the Union for Foreign Affairs and Security Policy (HR), shall exercise command and control of EU BAM Rafah at the strategic level.’;

3. Article 5(1) is deleted and the remaining paragraphs are renumbered accordingly;

4. Article 8(1) is replaced by the following:

‘1. Where required, the status of EU BAM Rafah personnel, including, where appropriate, the privileges, immunities and further guarantees necessary for the completion and smooth functioning of EU BAM Rafah shall be subject of an agreement to be concluded in accordance with the procedure laid down in Article 218 of the Treaty on the Functioning of the European Union.’;

5. Article 9(3) and (4) is replaced by the following:

‘3. The Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the HR, is the commander of EU BAM Rafah at strategic level and, as such, shall issue instructions to the Head of Mission and provide him with advice and technical support.

4. The Civilian Operation Commander shall report to the Council through the HR.’;

6. Article 10(1) is replaced by the following:

‘1. The PSC shall exercise, under the responsibility of the Council, political control and strategic direction of the mission. The Council hereby authorises the PSC to take the relevant decisions for this purpose in accordance with Article 38 of the Treaty. This authorisation shall include the powers to appoint a Head of Mission, upon a proposal from the HR, and to amend the OPLAN. It shall also include powers to take subsequent decisions regarding the appointment of the Head of Mission. The powers of decision with respect to the objectives and termination of the mission shall remain vested in the Council.’;

7. Article 11(4) is replaced by the following:

‘4. Detailed arrangements regarding the participation of third States shall be subject of an agreement to be concluded in accordance with the procedures laid down in Article 218 of the Treaty on the Functioning of the European Union. Where the EU and a third State have concluded an agreement establishing a framework for the participation of this third State in the EU crisis management operations, the provisions of such an agreement shall apply in the context of EU BAM Rafah.’;

8. Article 13(1) is replaced by the following:

‘1. The financial reference amount intended to cover the expenditure related to the mission for the period from 25 May 2010 to 24 May 2011 shall be EUR 1 950 000.’;

9. Article 14(1) is replaced by the following:

‘1. The Council and the Commission shall, each in accordance with their respective powers, ensure consistency between the implementation of this Joint Action and Union’s external action in accordance with Article 21(3) of the Treaty. The Council and the Commission shall cooperate to this end.’;

10. Article 15 is replaced by the following:

'Article 15

Release of classified information

1. The HR is authorised to release to third States associated with this Joint Action, as appropriate and in accordance with the operational needs of the mission, EU classified information and documents up to the level "RESTREINT UE" generated for the purposes of the mission, in accordance with the Council's security regulations.

2. In the event of a specific and immediate operational need, the HR is also authorised to release to the local authorities EU classified information and documents up to the level "RESTREINT UE" generated for the purposes of the mission, in accordance with the Council's security regulations. In all other cases, such information and documents shall be released to the local authorities in accordance with the procedures appropriate to their level of cooperation with the EU.

3. The HR is authorised to release to third States associated with this Joint Action and to the local authorities EU non-classified documents related to the deliberations of the Council with regard to the mission covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council's Rules of Procedure⁽⁴⁾.

11. The second paragraph of Article 16 is replaced by the following:

'It shall expire on 24 May 2011.'

12. Article 17 is replaced by the following:

'Article 17

Review

This Joint Action shall be reviewed by 15 April 2011.'

13. The third paragraph of Article 18 shall be deleted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 12 May 2010.

For the Council

The President

M. Á. Moratinos

(4) Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35)'

CHAPTER 38

EUPOL Afghanistan – Council Decision

Brussels, 18 May 2010

Council decision 2010/279/CFSP on the European Union Police Mission in Afghanistan (EUPOL Afghanistan)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular, Article 28 and Article 43(2) thereof,

Whereas:

- (1) On 30 May 2007 the Council adopted Joint Action 2007/369/CFSP⁽¹⁾ establishing the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN). That Joint Action expires on 30 May 2010.
- (2) On 8 March 2010, the Political and Security Committee (PSC) recommended to extend EUPOL AFGHANISTAN for three years.
- (3) The command and control structure of EUPOL AFGHANISTAN should be without prejudice to the contractual responsibilities of the Head of Mission towards the European Commission for implementing the budget.
- (4) The watch-keeping capability should be activated for EUPOL AFGHANISTAN.
- (5) EUPOL AFGHANISTAN will be conducted in the context of a situation which may deteriorate and could harm the objectives of the common foreign and security policy as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

Mission

1. The European Union Police Mission in Afghanistan ('EUPOL AFGHANISTAN' or the 'Mission'), established by Joint Action 2007/369/CFSP, shall be extended as from 31 May 2010 until 31 May 2013.
2. EUPOL AFGHANISTAN shall operate in accordance with the objectives set out in Article 2 and carry out the tasks as set out in Article 3.

(1) OJ L 139, 31.5.2007, p. 33.

*Article 2***Objectives**

EUPOL AFGHANISTAN shall significantly contribute to the establishment under Afghan ownership of sustainable and effective civilian policing arrangements, which will ensure appropriate interaction with the wider criminal justice system, in keeping with the policy advice and institution-building work of the Union, Member States and other international actors. Furthermore, the Mission will support the reform process towards a trusted and efficient police service, which works in accordance with international standards, within the framework of the rule of law and respect for human rights.

*Article 3***Tasks**

1. In order to fulfil the objectives set out in Article 2, EUPOL AFGHANISTAN shall:
 - a. assist the Government of Afghanistan in coherently implementing its strategy towards sustainable and effective civilian policing arrangements, especially with regard to the Afghan Uniform (Civilian) Police and the Afghan Anti-Crime Police, as stipulated in the National Police Strategy;
 - b. improve cohesion and coordination among international actors;
 - c. work on strategy development, while placing an emphasis on work towards a joint overall strategy of the international community in police reform and enhance cooperation with key partners in police reform and training, including with NATO-led mission ISAF and the NATO Training Mission and other contributors;
 - d. support linkages between the police and the wider rule of law.

These tasks will be further developed in the Operational Plan (OPLAN). The Mission shall carry out its tasks through, amongst other means, monitoring, mentoring, advising and training.

2. EUPOL AFGHANISTAN shall be a non-executive Mission.
3. EUPOL AFGHANISTAN shall have a Project Cell for identifying and implementing projects. EUPOL AFGHANISTAN shall, as appropriate, coordinate, facilitate and provide advice on projects implemented by Member States and third States under their responsibility, in areas related to the Mission and in support of its objectives.

*Article 4***Structure of the Mission**

1. The Mission will have its Headquarters (HQ) in Kabul. The Mission shall comprise:
 - (i) the Head of Mission and his office including a Senior Mission Security Officer;
 - (ii) a Police component;
 - (iii) a Rule of Law component;
 - (iv) training capacity;
 - (v) Mission Support;
 - (vi) field offices outside Kabul;
 - (vii) a support element in Brussels.
2. Mission staff shall be deployed at the central, regional and provincial levels and may work, as necessary, with the district level for the implementation of the mandate in light of the security assessment and when enabling factors, such as appropriate logistical and security support, are in place. Technical arrangements will be sought with ISAF and Regional Command/ Provincial

Reconstruction Team (PRT) Lead Nations for information exchange, medical, security and logistical support including accommodation by Regional Commands and PRTs.

3. In addition, a number of Mission staff shall be deployed to improve strategic coordination in police reform in Afghanistan, as appropriate, and in particular with the International Police Coordination Board (IPCB) Secretariat in Kabul. The IPCB Secretariat shall be located, as appropriate, at the EUPOL AFGHANISTAN HQ.

Article 5

Civilian Operation Commander

1. The Civilian Planning and Conduct Capability (CPCC) Director shall be the Civilian Operation Commander for EUPOL AFGHANISTAN.

2. The Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the High Representative of the Union for Foreign Affairs and Security Policy (HR), shall exercise command and control of EUPOL AFGHANISTAN at the strategic level.

3. The Civilian Operation Commander shall ensure proper and effective implementation of the Council's decisions as well as the PSC's decisions, including by issuing instructions at strategic level as required to the Head of Mission.

4. All seconded staff shall remain under the full command of the national authorities of the sending State or EU institution. National authorities shall transfer Operational Control (OPCON) of their personnel, teams and units to the Civilian Operation Commander.

5. The Civilian Operation Commander has overall responsibility for ensuring that the Union's duty of care is properly discharged.

6. The Civilian Operation Commander and the European Union Special Representative (EUSR) shall consult each other as required.

Article 6

Head of Mission

1. The Head of Mission shall assume responsibility and exercise command and control of the Mission at theatre level.

2. The Head of Mission shall exercise command and control over personnel, teams and units from contributing States as assigned by the Civilian Operation Commander together with administrative and logistic responsibility including over assets, resources and information put at the disposal of the Mission.

3. The Head of Mission shall issue instructions to all Mission staff, including in this case the support element in Brussels, for the effective conduct of EUPOL AFGHANISTAN in theatre, assuming its coordination and day-to-day management, following the instructions at strategic level of the Civilian Operation Commander.

4. The Head of Mission shall be responsible for the implementation of the Mission's budget. For this purpose, the Head of Mission shall sign a contract with the Commission.

5. The Head of Mission shall be responsible for disciplinary control over the staff. For seconded staff, disciplinary action shall be exercised by the national or Union authority concerned.

6. The Head of Mission shall represent EUPOL AFGHANISTAN in the operations area and shall ensure appropriate visibility of the Mission.

7. The Head of Mission shall coordinate, as appropriate, with other EU actors on the ground. The Head of Mission shall, without prejudice to the chain of command, receive local political guidance from the EUSR.

8. The Head of Mission shall ensure that EUPOL AFGHANISTAN works closely, coordinates and cooperates with the Government of Afghanistan and relevant international actors, as appropriate, including NATO-led mission ISAF and the NATO Training Mission, PRT Lead Nations, United Nations Assistance Mission Afghanistan (UNAMA), and third States currently involved in police reform in Afghanistan.

Article 7

Staff

1. The numbers and competence of EUPOL AFGHANISTAN staff shall be consistent with the objectives set out in Article 2, the tasks set out in Article 3 and the structure of the Mission set out in Article 4.

2. EUPOL AFGHANISTAN shall consist primarily of staff seconded by Member States or EU institutions.

3. Each Member State or EU institution shall bear the costs related to any of the staff seconded by it, including travel expenses to and from the place of deployment, salaries, medical coverage, and allowances, other than applicable per diems as well as hardship and risk allowances.

4. International civilian staff and local staff may also be recruited by EUPOL AFGHANISTAN, as required, on a contractual basis, if the functions required are not provided by personnel seconded by Member States. Exceptionally, in duly justified cases, where no qualified applications from Member States are available, nationals from participating third States may be recruited on a contractual basis, as appropriate.

5. All staff shall carry out their duties and act in the interest of the Mission. All staff shall respect the security principles and minimum standards established by Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations⁽²⁾.

Article 8

Status of EUPOL AFGHANISTAN staff

1. The status of EUPOL AFGHANISTAN staff in Afghanistan, including, where appropriate the privileges, immunities and further guarantees necessary for the completion and smooth functioning of EUPOL AFGHANISTAN shall be laid down in an agreement to be concluded in accordance with Article 37 of the Treaty.

2. The State or EU institution having seconded a member of staff shall be responsible for answering any claims linked to the secondment, from or concerning the member of staff. The State or EU institution in question shall be responsible for bringing any action against the person seconded.

3. The conditions of employment and the rights and obligations of international and local civilian staff shall be laid down in contracts between the Head of Mission and the members of staff.

Article 9

Chain of Command

1. EUPOL AFGHANISTAN shall have a unified chain of command, as a crisis management operation.

2. Under the responsibility of the Council and of the HR, the PSC shall exercise political control and strategic direction of EUPOL AFGHANISTAN.

(2) OJ L 101, 11.4.2001, p. 1.

3. The Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the HR, is the commander of EUPOL AFGHANISTAN at strategic level and, as such, shall issue instructions to the Head of Mission and provide him with advice and technical support.
4. The Civilian Operation Commander shall report to the Council through the HR.
5. The Head of Mission shall exercise command and control of EUPOL AFGHANISTAN at theatre level and shall be directly responsible to the Civilian Operation Commander.

Article 10

Political control and strategic direction

1. The PSC shall exercise, under the responsibility of the Council and of the HR, political control and strategic direction of the Mission. The Council hereby authorises the PSC to take the relevant decisions for this purpose in accordance with the third paragraph of Article 38 of the Treaty. This authorisation shall include the powers to appoint a Head of Mission, upon a proposal of the HR, and to amend the CONOPS and the OPLAN. The powers of decision with respect to the objectives and termination of the Mission shall remain vested in the Council.
2. The PSC shall report to the Council at regular intervals.
3. The PSC shall receive on a regular basis and as required reports by the Civilian Operation Commander and the Head of Mission on issues within their areas of responsibility.

Article 11

Security

1. The Civilian Operation Commander shall direct the Head of Mission's planning of security measures and ensure their proper and effective implementation for EUPOL AFGHANISTAN in accordance with Articles 5 and 9, in coordination with the Council Security Office.
2. The Head of Mission shall be responsible for the security of the operation and for ensuring compliance with minimum security requirements applicable to the operation, in line with the policy of the Union on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, and its supporting documents.
3. The Head of Mission shall be assisted by a Senior Mission Security Officer (SMSO), who will report to the Head of Mission and also maintain a close relationship with the Council Security Office.
4. The Head of Mission will appoint Security Officers in the provincial and regional Mission locations, who, under the authority of the SMSO shall be responsible for the day-to-day management of all security aspects of the respective Mission elements.
5. EUPOL AFGHANISTAN staff shall undergo mandatory security training before their entry into function, in accordance with the OPLAN. They shall also receive regular in-theatre refresher training organised by the SMSO.

Article 12

Participation of third States

1. Without prejudice to the Union's decision-making autonomy and its single institutional framework, candidate and other third States may be invited to contribute to EUPOL AFGHANISTAN on the basis that they bear the costs of sending the police experts and/or the civilian staff seconded by them, including salaries, allowances, medical coverage, high risk insurance and travel expenses to and from Afghanistan, and contribute to the running costs of EUPOL AFGHANISTAN as appropriate.

2. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the proposed contributions.
3. Third States making contributions to EUPOL AFGHANISTAN shall have the same rights and obligations in terms of day-to-day management of the operation as Member States taking part in the operation.
4. The PSC shall take appropriate action with regard to participation arrangements and shall, if required, submit a proposal to the Council, including on possible financial participation or contributions in-kind from third States.
5. Detailed arrangements regarding the participation of third States shall be the subject of agreements pursuant to Article 37 of the Treaty and additional technical arrangements as necessary. Where the Union and a third State have concluded an agreement establishing a framework for the participation of this third State in the EU crisis management operations, the provisions of such agreement shall apply in the context of this operation.

Article 13

Financial arrangements

1. The financial reference amount intended to cover the expenditure related to EUPOL AFGHANISTAN until 31 May 2011 shall be EUR 54 600 000.
2. The financial reference amount for the subsequent periods for EUPOL AFGHANISTAN shall be decided by the Council.
3. All expenditure shall be managed in accordance with the rules and procedures applicable to the general budget of the European Union.
4. The Head of Mission shall report fully to, and be supervised by, the Commission on the activities undertaken in the framework of his contract.
5. Nationals of third States shall be allowed to tender for contracts. Subject to the Commission's approval, the Head of Mission may conclude technical arrangements with Regional Command/PRT lead nations and international actors deployed in Afghanistan regarding the provision of equipment, services and premises to the Mission, notably where security conditions so require.
6. The financial arrangements shall respect the operational requirements of EUPOL AFGHANISTAN, including compatibility of equipment and interoperability of its teams, and shall take into consideration the deployment of staff in Regional Commands and PRTs.
7. The expenditure shall be eligible as from the date of adoption of this Decision.

Article 14

Release of classified information

1. The HR shall be authorised to release to NATO/ISAF EU classified information and documents generated for the purposes of the Mission, in accordance with the Council's security regulations. Local technical arrangements shall be drawn up to facilitate this.
2. The HR shall be authorised to release to third States associated with this Decision, as appropriate and in accordance with the needs of the Mission, EU classified information and documents up to the level 'CONFIDENTIEL UE' generated for the purposes of the Mission, in accordance with the Council's security regulations.
3. The HR shall be authorised to release to UNAMA, as appropriate and in accordance with the operational needs of the Mission, EU classified information and documents up to the level 'RESTREINT UE' generated for the purposes of the Mission, in accordance with the Council's security regulations. Local arrangements shall be drawn up for this purpose.

4. In the event of a specific and immediate operational need, the HR shall also be authorised to release to the host State EU classified information and documents up to the level ‘RESTREINT UE’ generated for the purposes of the Mission, in accordance with the Council’s security regulations. In all other cases, such information and documents shall be released to the host State in accordance with procedures for cooperation by the host State with the Union.

5. The HR shall be authorised to release to third states associated with this Decision, EU non-classified documents related to the deliberations of the Council with regard to the Mission covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council Rules of Procedure⁽³⁾.

Article 15

Watch-Keeping

The Watch-Keeping Capability shall be activated for EUPOL AFGHANISTAN.

Article 16

Review

1. This Decision shall be reviewed every six months in order to adjust the Mission size and scope as necessary.

2. This Decision shall be reviewed, no later than three months before its expiry, in order to determine whether the Mission should be continued.

Article 17

Entry into force and duration

This Decision shall enter into force on the date of its adoption.

It shall apply from 31 May 2010 until 31 May 2013.

Done at Brussels, 18 May 2010.

For the Council

The President

E. Salgado

(3) Council Decision 2009/937/EU, of 1 December 2009 adopting the Council’s Rules of Procedure (OJ L 325, 11.12.2009, p. 35).

CHAPTER 39

EUSEC RD Congo – PSC Decision

Brussels, 18 May 2010

Political and Security Committee decision EUSEC/1/2010 on the establishment of the Committee of contributors for the European Union Mission to provide advice and assistance for security sector reform in the Democratic Republic of Congo (EUSEC RD Congo)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular the third subparagraph of Article 38 thereof,

Having regard to Council Joint Action 2009/709/CFSP of 15 September 2009 on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of Congo (EUSEC RD Congo)⁽¹⁾, and in particular Article 10(3) thereof,

Whereas:

(1) Under Article 10(3) of Joint Action 2009/709/CFSP, the Council authorised the Political and Security Committee (PSC) to take relevant decisions on the establishment of a Committee of Contributors (CoC) for EUSEC RD Congo.

(2) The European Council Conclusions of Göteborg of 15 and 16 June 2001 established guiding principles and modalities for third State's contributions to police missions. On 10 December 2002, the Council approved the document entitled 'Consultations and Modalities for the Contributions of non-EU States to EU civilian crisis management operations' which further developed the arrangements for the participation of third States in civilian crisis management operations, including the establishment of a Committee of Contributors.

(3) The CoC will play a key role in the day-to-day management of EUSEC RD Congo. It will be the main forum for discussing all problems relating to the day-to-day management of the Mission. The PSC, which exercises the political control and strategic direction of the Mission, is to take account of the views expressed by the CoC,

(1) OJ L 246, 18.9.2009, p. 33.

HAS ADOPTED THIS DECISION:*Article 1***Establishment**

A Committee of Contributors (CoC) for the European Union Mission to provide advice and assistance for security sector reform in the Democratic Republic of Congo (EUSEC RD Congo) is hereby established.

*Article 2***Functions**

1. The CoC may express views which shall be taken into account by the PSC which exercises the political control and strategic direction of EUSEC RD Congo.
2. The terms of reference of the CoC are laid down in the document entitled ‘Consultations and Modalities for the Contribution of non-EU States to EU civilian crisis management operations’.

*Article 3***Composition**

1. All EU Member States are entitled to be present at the CoC’s discussions but only contributing States shall take part in the day-to-day management of EUSEC RD CONGO. Representatives of the third States participating in EUSEC RD CONGO may attend the CoC’s meetings. A representative of the European Commission may also attend the CoC’s meetings.
2. The CoC shall receive regular information from the Head of Mission.

*Article 4***Chair**

The CoC shall be chaired by the High Representative of the Union for Foreign Affairs and Security Policy or by his or her representative.

*Article 5***Meetings**

1. The CoC shall be convened by the Chair on a regular basis. Where circumstances require, emergency meetings may be convened on the Chair’s initiative, or at the request of a member.
2. The Chair shall circulate in advance a provisional agenda and documents relating to the meeting. The Chair shall be responsible for conveying the outcome of the CoC’s discussions to the PSC.

*Article 6***Confidentiality**

1. In accordance with Council Decision 2001/264/EC of 19 March 2001⁽²⁾, the Council’s security regulations shall apply to the meetings and proceedings of the CoC. In particular, representatives in the CoC shall possess adequate security clearance.
2. The deliberations of the CoC shall be covered by the obligation of professional secrecy, except insofar as the CoC unanimously decides otherwise.

(2) OJ L 101, 11.4.2001, p. 1.

Article 7

Entry into force

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 18 May 2010.

For the Political and Security Committee

The Chairperson

C. Fernández-Arias

CHAPTER 40

1st Regional Conference on piracy

Seychelles, 21 May 2010

Joint communiqué

The Ministers of the Republic of Djibouti, the Republic of Kenya, the Republic of Mauritius, the Republic of Mozambique, the Republic of Seychelles, the Republic of South Africa and High Representatives of the EU and the following international organisations: AU, COMESA, IOC, INTERPOL and UNODC met in the occasion of the official visit of EU High Representative and Vice President of the European Commission Baroness Catherine Ashton to Seychelles, at Victoria, Seychelles on 21st May 2010.

Piracy has become again a menace on the high seas. The Indian Ocean, notably those countries in the surrounding region, is particularly affected. International trade is disrupted, security is threatened, the region's economy is suffering, social development is endangered. Piracy is today an international problem which requires a comprehensive multilateral solution.

The participants agreed that to be effective in addressing the challenge of piracy, the countries in the region will have to act together. They agreed to forge strong regional cooperation because regional solidarity is essential to fight piracy.

To be effective, the participants agreed the need for a joined-up short, medium and long-term strategy. In the short-term, continuing deterring and capturing pirates remains a priority. The participants recognised the crucial role the EUNAVFOR Atalanta Operation in this regard.

In the medium-term, it was stressed the need to strengthen the capacities of the countries in the wider region on the prosecution and imprisonment of pirates. But it was agreed that a comprehensive strategy can only be achieved by addressing the underlying security challenges and development causes behind piracy.

At their meeting, the partners agreed to further develop and enhance their domestic action plans to fight piracy with a view to formulating a more comprehensive, coherent and sustainable regional strategy to be agreed at a further ministerial level conference to be convened in the very near future.

The EU has reiterated its strong commitment to stand by the countries in the region together with the other international partners in order to help them to effectively address the problem of piracy.

The participants agreed to meet again soon and continue their concerted efforts for a coordinated international action for sustainable solutions on piracy.

CHAPTER 41

EU SSR Guinea-Bissau – Council Decision

Brussels, 25 May 2010

Council decision 2010/298/CFSP amending and extending Joint Action 2008/112/CFSP on the European Union Mission in support of security sector reform in the Republic of Guinea-Bissau (EU SSR Guinea-Bissau)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28 and Article 43(2) thereof,

Whereas:

(1) On 12 February 2008, the Council adopted Joint Action 2008/112/CFSP on the European Union mission in support of security sector reform in the Republic of Guinea-Bissau (EU SSR GUINEA-BISSAU)⁽¹⁾. That Joint Action was to apply until 31 May 2009.

(2) On 18 May 2009, the Council adopted Joint Action 2009/405/CFSP⁽²⁾, which amended Joint Action 2008/112/CFSP and extended it until 30 November 2009. On 17 November 2009 the Council adopted Joint Action 2009/841/CFSP⁽³⁾, which amended Joint Action 2008/112/CFSP and extended it until 31 May 2010.

(3) On 5 February 2010 the Political and Security Committee (PSC) endorsed the continuation of the EU engagement in SSR in Guinea-Bissau and requested planning of a new Common Security and Defence Policy (CSDP) mission supporting implementation of SSR.

(4) By letter dated 22 February 2010, the Prime Minister of Guinea-Bissau invited the High Representative of the Union for Foreign Affairs and Security Policy (HR) to launch a new mission with a mandate to provide training, guidance and advice to ensure successful continuation of SSR process.

(5) Following the 1 April 2010 events and the launch, on 19 April 2010, of an EU political demarche vis-à-vis the Guinea-Bissau authorities, on 30 April 2010 the PSC agreed that, in order to ensure coherence across EU external policy instruments, the mandate of EU SSR GUINEA-

(1) OJ L 40, 14.2.2008, p. 11.

(2) OJ L 128, 27.5.2009, p. 60.

(3) OJ L 303, 18.11.2009, p. 70.

BISSAU should be extended until 30 September 2010 with a view to making a final decision on further CSDP engagement in Guinea-Bissau by July 2010, based on a strategic review and on developments on the ground. In this context, the PSC recalled and reaffirmed the pre-conditions for further EU engagement in the field of SSR, including respect for democratic principles, human rights and the rule of law.

(6) Joint Action 2008/112/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Joint Action 2008/112/CFSP is hereby amended as follows:

1. Article 1(1) is replaced by the following:

‘1. The European Union (EU) hereby establishes an EU Mission in support of security sector reform in the Republic of Guinea-Bissau (hereinafter referred to as “EU SSR GUINEA-BISSAU” or the “Mission”), comprising a preparatory phase beginning on 26 February 2008 and with an implementation phase beginning no later than 1 May 2008. The duration of the Mission will be up to 28 months from the declaration of initial operational capability.’;

2. Article 9(1) is replaced by the following:

‘1. The financial reference amount to cover the expenditure related to the Mission for the period from 26 February 2008 to 30 November 2009 shall be EUR 5 650 000.

The financial reference amount to cover the expenditure related to the Mission for the period from 1 December 2009 to 30 June 2010 shall be EUR 1 530 000.

The financial reference amount to cover the expenditure related to the Mission for the period from 1 July 2010 to 30 September 2010 shall be EUR 630 000.’;

3. In Article 17, the second paragraph shall be replaced by the following:

‘It shall apply until 30 September 2010.’

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 25 May 2010.

For the Council

The President

M. Sebastián

CHAPTER 42

EULEX Kosovo – Council Decision

Brussels, 8 June 2010

Council decision 2010/322/CFSP amending and extending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo⁽¹⁾, EULEX Kosovo

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28 and Article 43(2) thereof,

Whereas:

(1) On 4 February 2008, the Council adopted Joint Action 2008/124/CFSP⁽²⁾. That Joint Action applies until 14 June 2010.

(2) On 9 June 2009, the Council adopted Joint Action 2009/445/CFSP⁽³⁾, which amended Joint Action 2008/124/CFSP by increasing the financial reference amount to cover the Mission's expenditure until the expiry of Joint Action 2008/124/CFSP.

(3) On 28 May 2010, the Political and Security Committee recommended the extension of Joint Action 2008/124/CFSP for a period of two years and the extension of the financial reference amount of EUR 265 000 000 until 14 October 2010.

(4) The command and control structure of EULEX KOSOVO should be without prejudice to the contractual responsibilities of the Head of Mission towards the European Commission for implementing the budget.

(5) EULEX KOSOVO will be conducted in the context of a situation which may deteriorate and could harm the objectives of the common foreign and security policy as set out in Article 21 of the Treaty.

(6) Joint Action 2008/124/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

(1) Under United Nations Security Council Resolution 1244 (1999)

(2) OJ L 42, 16.2.2008, p. 92.

(3) OJ L 148, 11.6.2009, p. 33.

Article 1

Joint Action 2008/124/CFSP is hereby amended as follows:

1. Article 7(2) is replaced by the following:
'2. The Civilian Operation Commander, under the political control and strategic direction of the Political and Security Committee (PSC) and the overall authority of the High Representative of the Union for Foreign Affairs and Security Policy (HR), shall exercise command and control of EULEX KOSOVO at the strategic level.;
2. Paragraphs 3, 4 and 5 in Article 9 are replaced by the following:
'3. International civilian staff and local staff may also be recruited by EULEX KOSOVO, as required, on a contractual basis, if the functions required are not provided by personnel seconded by Member States. Exceptionally, in duly justified cases, where no qualified applications from Member States are available, nationals from participating third States may be recruited on a contractual basis, as appropriate.
4. All staff shall carry out their duties and act in the interest of the Mission. All staff shall respect the security principles and minimum standards established by Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations*.

* OJ L 101, 11.4.2001, p. 1.'

3. Paragraphs 2, 3 and 4 in Article 11 are replaced by the following:
'2. Under the responsibility of the Council and the HR, the PSC shall exercise political control and strategic direction of EULEX KOSOVO.
3. As also laid down in Article 7, the Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the HR, shall be the commander of EULEX KOSOVO at strategic level and, as such, shall issue the Head of Mission with instructions and provide him with advice and technical support.
4. The Civilian Operation Commander shall report to the Council through the HR.;
4. Paragraphs 1 and 2 in Article 12 are replaced by the following:
'1. The PSC shall exercise, under the responsibility of the Council and the HR, political control and strategic direction of EULEX KOSOVO.
2. The Council hereby authorises the PSC to take the relevant decisions for this purpose, in accordance with the third paragraph of Article 38 of the Treaty. This authorisation shall include the powers to amend the OPLAN and the chain of command. It shall also include powers to take subsequent decisions regarding the appointment of the Head of Mission. The Council, on the recommendation of the HR, shall decide on the objectives and termination of EULEX KOSOVO.;
5. Article 13(4) is replaced by the following:
'4. Detailed arrangements regarding the participation of third States shall be laid down in an agreement to be concluded in accordance with Article 37 of the Treaty and Article 218 of the Treaty on the Functioning of the European Union. Where the EU and a third State conclude an agreement establishing a framework for the participation of such third State in the EU crisis management operations, the provisions of such agreement shall apply in the context of EULEX KOSOVO.;
6. Paragraphs 1 and 2 in Article 16 are replaced by the following:

1. The financial reference amount intended to cover the expenditure of EULEX KOSOVO until 14 October 2010 shall be EUR 265 000 000.

The financial reference amount for the subsequent periods for EULEX KOSOVO shall be decided by the Council.

2. All expenditure shall be managed in accordance with the rules and procedures applicable to the general budget of the EU.’;

7. Article 17 is deleted;

8. Article 18 is replaced by the following:

Article 18

Release of classified information

1. The HR shall be authorised to release to the United Nations, NATO/KFOR and to other third parties associated with this Joint Action, EU classified information and documents generated for the purposes of EULEX KOSOVO up to the level of the relevant classification respectively for each of them, in accordance with Decision 2001/264/EC. Local technical arrangements shall be drawn up to facilitate this.

2. In the event of a specific and immediate operational need, the HR shall also be authorised to release to the competent local authorities EU classified information and documents up to the level “RESTREINT UE” generated for the purposes of EULEX KOSOVO, in accordance with Decision 2001/264/EC. In all other cases, such information and documents shall be released to the competent local authorities in accordance with the procedures appropriate to those authorities’ level of cooperation with the EU.

3. The HR shall be authorised to release to the United Nations, NATO/KFOR, to other third parties associated with this Joint Action and to the relevant local authorities, EU non-classified documents related to the deliberations of the Council with regard to EULEX KOSOVO covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council’s Rules of Procedure*.

*Council Decision 2009/937/EU of 1 December 2009 adopting the Council’s Rules of Procedure (OJ L 325, 11.12.2009, p. 35).’

9. Article 19 is replaced by the following:

Article 19

Review

The Council shall evaluate, not later than 6 months before the expiry of this Joint Action whether EULEX KOSOVO should be extended.’

10. Article 20, second subparagraph, is replaced by the following:

‘It shall expire on 14 June 2012.’

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 8 June 2010.

For the Council

The President

E. Salgado

CHAPTER 43

Iran – E3+3 Statement

9 June 2010

Statement by the E3+3 with the support of the EU HR following the adoption of UN Security Council Resolution 1929 on the Iranian Nuclear Programme

The following statement was agreed by the Foreign Ministers of China, France, Germany, Russia, the United Kingdom and the United States, with the support of the High Representative of the European Union:

‘We, the Foreign Ministers of China, France, Germany, Russia, the United Kingdom and the United States, would like to take this opportunity to reaffirm our determination and commitment to seek an early negotiated solution to the Iranian nuclear issue.

The adoption of UNSCR 1929, while reflecting the international community’s concern about the Iranian nuclear programme and reconfirming the need for Iran to comply with the UN Security Council and IAEA Board of Governors requirements, keeps the door open for continued engagement between E3+3 and Iran.

The aim of our efforts is to achieve a comprehensive and long-term settlement which would restore international confidence in the peaceful nature of Iran’s nuclear programme, while respecting Iran’s legitimate rights to the peaceful use of atomic energy. We are resolute in continuing our work for this purpose. We also welcome and commend all diplomatic efforts in this regard, especially those recently made by Brazil and Turkey on the specific issue of the Tehran Research Reactor.

We reaffirm our June 2008 proposals, which remain valid, as confirmed by resolution 1929. We believe these proposals provide a sound basis for future negotiations. We are prepared to continue dialogue and interaction with Iran in the context of implementing the understandings reached during the Geneva meeting of 1 October 2009. We have asked Baroness Ashton, the EU High Representative for Foreign Affairs and Security Policy, to pursue this with Dr. Saeed Jalili, Secretary of Iran’s Supreme National Security Council at the earliest opportunity.

We expect Iran to demonstrate a pragmatic attitude and to respond positively to our openness towards dialogue and negotiations.’

CHAPTER 44

General Affairs Council

Luxemburg, 14 June 2010

European External Action Service

The Council took stock of progress in negotiations with the European Parliament on draft decisions on the establishment of a European External Action Service, and of further steps to be taken in the coming weeks.

Ongoing work has been focusing on the functioning and organisation of the EEAS and on the necessary amendments to the EU's financial regulation and staff regulations.

Creation of the EEAS is one of the most significant changes introduced by the Treaty of Lisbon, which entered into force on 1 December. It is aimed at making the EU's external action more coherent and efficient, thereby increasing the EU's influence in the world.

The EEAS will assist the High Representative of the Union for Foreign Affairs and Security Policy in fulfilling her mandate. It will work in cooperation with the diplomatic services of the member states and comprise officials from relevant departments of the General Secretariat of the Council and of the Commission, as well as staff seconded from the national diplomatic services of the member states.

The Council reached agreement on the main issues at its meeting on 26 April.

European Security and Defence Policy

Annual Report on ESDP and ESDP-related training

The Council took note of an annual report from its politico-military group on European security and defence policy (ESDP) and ESDP-related training, and endorsed the report's conclusions.

The 2010 annual report, which draws on contributions from the European Security and Defence College, from other EU-level training actors and from member states, notes improvements in some areas as regards ESDP and ESDP-related training, whilst noting that the situation remains similar to those described in the reports for 2008 and 2009.

The report finds that further consideration needs to be given to the management of open source intelligence training activities, previously organised by the European Defence Agency. Options should be submitted to the Council preferably before the end of 2010. Potential synergies between the EDA and relevant training actors, including the ESDC, on education and training regarding armaments cooperation should be encouraged and further explored.

As regards training on gender aspects for CSDP missions and operations, member states are invited to follow recommendations adopted in late 2009 on implementation of UN Security

Council resolutions 1325 and 1820. In this context, member states are encouraged to conduct and offer training courses on mainstreaming human rights and gender issues under CSDP. The 2010 annual report can be found in doc. *9472/10*.

Integrated maritime policy – Council conclusions

The Council adopted conclusions calling on the Commission to present legislative proposals for the financing of integrated maritime policy actions, with a view to entry into force by 2011. The conclusions invite the Commission, in close cooperation with the member states concerned, to present, by June 2011, an EU strategy for the Atlantic region, based on the prospect of clear added value, in order to address common challenges faced by the countries of the region. These should include marine research, maritime surveillance, as well as environmental and economic challenges.

The conclusions call on member states and the Commission to strive further to move maritime concerns higher up the climate change agenda and to reinforce efforts at international level for the protection of marine biodiversity, in particular in areas beyond national jurisdiction. The Council calls on member states and the Commission to promote the continuous improvement of safety, security, environmental performance and working conditions, enhancing the effective implementation of internationally agreed rules by all flag, port and coastal states. The conclusions can be found in doc. *10300/10*.

CHAPTER 45

Foreign Affairs Council

Brussels, 14 June 2010

(...)

East Africa – Piracy off the Coast of Somalia

During the development session, the Council took stock of the situation in East Africa, following a visit by the High Representative at the end of May, and discussed briefly how to address the root causes of piracy in the region.

It confirmed its support for a comprehensive approach in the region, linking security policy with development, the rule of law, respect for human rights, gender-related aspects and international humanitarian law.

The EU has committed EUR 215.4 million for development aid to Somalia through the European development fund for the 2008-13 period. The European Commission's development aid programme for Somalia (including all regions of south-central Somalia, Puntland and Somaliland) amounts to almost EUR 180 million for 87 projects. The main areas of development cooperation are governance, security and support for civil society, education, the productive sectors and rural development. Humanitarian aid from the EU amounted to EUR 45.8 million in 2008.

Foreign ministers discussed the situation in Somalia over lunch with Rear Admiral Peter Hudson, the outgoing Commander of the EU naval operation EU NAVFOR Atalanta.

The Council adopted the following conclusions on piracy off the coast of Somalia:

'The Council notes with concern the continuing impact of piracy off the coast of Somalia on international maritime security and on the economic activities and security of countries in the region. The Council reiterates its determination to strengthen the EU's overall engagement to enhance regional capacity to fight piracy.

The Council commends Operation Atalanta for its successes in deterring, preventing and disrupting pirates' activities, especially in protecting World Food Programme and AMISOM shipments. The Council agrees to prolong the operation for another two years until December 2012. The Council intends to have a strategic discussion on the operation in early Autumn as part of the EU's comprehensive engagement in the region. The Council also agrees in principle to extend the Area of Operations further to its East and South in order to respond to the increased range of pirates' attacks. It strongly encourages the international maritime community to further promote full adherence to recommended best practice in order to continue increasing its capacity to meet its responsibility to keep its vessels safe.

The Council welcomes the ongoing engagement of the High Representative with countries of the region in order to promote the development of regional cooperation to fight piracy. It also

welcomes the regional ministerial conference on piracy convened by the HR in the Seychelles on 21 May supporting the process of forging regional solutions. The Council reiterates the EU's commitment to help countries in the region to enhance their capacity to facilitate the prosecution and detention of suspected pirates consistent with applicable international human rights law. The Council commends Kenya and the Seychelles for their cooperation and invites other countries in the region to engage in these efforts. The Council encourages the ongoing efforts by the HR to find sustainable solutions to avoid impunity for crimes of piracy and looks forward to concrete progress on that issue. The EU stands ready to continue cooperating with the international community in a coherent manner, in particular within the Contact Group on Piracy off the Coast of Somalia and looks forward to the report in this field by the Secretary General of the United Nations, as requested in UN Security Council Resolution 1918.

The Council stresses that an enduring solution to the threat of piracy off the coast of Somalia and in the Gulf of Aden can only be reached by building on Somali ownership and addressing the underlying security and developmental challenges in Somalia.

Recalling its conclusions adopted in July and December 2009, the Council reaffirms its commitment to a comprehensive approach in addressing the Somali crisis. It reiterates its support to the Djibouti process and the Transition Federal Government and welcomes the agreement signed by the TFG and Puntland, including the memorandum of understanding of April 2010 addressing piracy and the agreement of March 2010 with Ahlu Sunna Wal'Jamaa. The Council also welcomes the outcome of the Istanbul conference and the work of the UNSRSG Ould Abdallah. The Council encourages continued constructive engagement from all regions of Somalia. Building on the "EU policy on the Horn of Africa- towards a comprehensive EU strategy" Council document from 2009 and the Commission communication on the Horn of Africa from 2006, the Council invites the HR and the Commission to make proposals for a comprehensive EU strategy for relations with the Horn of Africa as a basis for continued cooperation with regional partners.'

Gaza – Council conclusions

The Council discussed the situation regarding Gaza and adopted the following conclusions:

1. The EU deeply regrets the loss of life during the Israeli military operation in international waters against the Flotilla sailing to Gaza and condemns the use of violence. The Council believes that an immediate, full and impartial inquiry into these events and the circumstances surrounding them is essential. To command the confidence of the international community this should include credible international participation.

2. The situation in Gaza remains unsustainable. The continued policy of closure is unacceptable and politically counterproductive. The EU calls for an urgent and fundamental change of policy leading to a durable solution to the situation in Gaza. In line with UNSC Resolution 1860, the EU reiterates its call for an immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza including goods from the West Bank. The Council calls for a solution that addresses Israel's legitimate security concerns including a complete stop to all violence and arms smuggling into Gaza.

3. The Council deplores the continuing acts of rocket fire. All those responsible must take immediate and concrete steps to cease and prevent such violence. The Council calls on those holding the abducted Israeli soldier Gilad Shalit to release him without delay. Hamas must also

unconditionally allow ICRC access and end its interference with the operations of NGOs and UN agencies in Gaza.

4. The EU stands ready to contribute to the implementation of a mechanism based on the 2005 Agreement on Movement and Access that would permit the reconstruction of Gaza and the revival of its economy. To this end, full and regular access via land crossings, and possibly by sea, on the basis of a list of prohibited goods, should be the prime aim, while at the same time providing strict control over the destination of imported merchandise. To achieve progress on the ground, the High Representative will continue to engage with the Government of Israel, the Palestinian Authority, Quartet members and other appropriate parties as a matter of urgency and present EU options with a view to the next Foreign Affairs Council.

5. The Council recalls its conclusions of December 2009. The EU stresses the paramount importance that the proximity talks continue with a view to the resumption of direct negotiations which should lead to a settlement negotiated between the parties within 24 months. All efforts to achieve Palestinian reconciliation behind President Mahmoud Abbas must be accelerated. The Council acknowledges Egyptian efforts in this respect.'

Western Balkans – Council conclusions

The Council discussed the Western Balkans (including, over lunch, a presentation by the ICTY prosecutor, Serge Brammertz) and adopted the following conclusions:

'THE SARAJEVO MEETING

The Council welcomes the outcome of the High Level Meeting on the Western Balkans, organised by the Council Presidency and chaired by the Foreign Minister of Spain, Mr Moratinos, which took place on 2 June 2010 in Sarajevo to mark the 10th anniversary of the Zagreb summit and appreciates the participation of all partners. The Council looks forward to appropriate follow up to the meeting.

Recalling its conclusions of 7/8 December 2009, the Council reaffirms the EU's unequivocal commitment to the European perspective of the Western Balkan countries in line with the Thessaloniki Agenda and in accordance with the renewed consensus on enlargement and looks forward to moving to the next stages of the process. The Council reiterates that each country's progress towards the European Union depends on its individual efforts to comply with the Copenhagen criteria and the conditionality of the Stabilisation and Association Process.

The Council welcomes the commitment of the Western Balkans to intensify the pace of reform in key areas. It stresses the importance of addressing the challenges ahead, in particular related to the rule of law, including the fight against corruption and organised crime.

The Council welcomes the commitment of the Western Balkans to further strengthen regional cooperation on the basis of the principles of inclusiveness and regional ownership. It welcomes recent commendable initiatives regarding reconciliation and encourages further efforts to this effect. The Council recalls the importance of regional cooperation and good neighbourly relations and encourages all parties concerned to address outstanding issues with neighbouring countries.

Recalling its previous conclusions according to which the EU strongly supports the goal of the abolishment of the visa regime for all the countries of the Western Balkans, as well as the joint statement of the European Parliament and the Council of 30 November 2009, the

Council welcomes the progress achieved by Albania and Bosnia and Herzegovina in reaching the criteria of visa liberalisation, as stressed in the Commission proposal of 27 May 2010 for a European Parliament and Council decision to amend Regulation 539/2001, as it applies to Member States. The Council and the European Parliament will take a decision as soon as the Commission assesses that all the outstanding benchmarks are met and in the light of such assessment.

SERBIA

Following the latest report of the Prosecutor of the ICTY, the Council notes that Serbia has maintained its cooperation with the Tribunal with a view to delivering further positive results.

The Council encourages Serbia to follow the recommendations of the Prosecutor.

Recalling the Council conclusions of 29 April 2008 and 7/8 December 2009, Ministers agreed to submit the Stabilisation and Association Agreement to their parliaments for ratification.

The Council underlines that full cooperation with the ICTY remains an essential element of the Stabilisation and Association Agreement.

The Council took note that Serbia applied for membership of the European Union on 22 December 2009 and welcomed Serbia's commitment to EU integration. The Council decided to return to the membership application.

(...)

ALBANIA

The Council continues to be concerned about the political situation in Albania following the general elections on 28 June 2009. It welcomes the return of the opposition to the parliament in connection with the facilitation initiative by MEPs Daul and Schulz, on behalf of their political groups, which was supported by the High Representative and by Commissioner Füle. It is high time to find a solution to the current crisis on a basis which will stand the test of time.

The Council regrets, however, that the facilitation initiative has not yet found sufficient support to enable the Albanian Government and the opposition to overcome their differences. The Council reiterates that it is the responsibility of the Government of Albania together with the opposition to promptly find, in a transparent manner and in full respect of the Albanian constitution, solutions and ways forward which will be required for the country on its EU path.

The Council encourages Albania to actively continue with the necessary reforms for the smooth and timely implementation of the Stabilisation and Association Agreement, taking into account the European Partnership priorities, and it reiterates its support for the European perspective for the country.

The Council recalls that Albania's application for EU membership, submitted in April 2009, will be assessed according to the principles set out in the EU Treaty and the criteria defined by the Copenhagen European Council in 1993, as well as the December 2006 European Council conclusions on the renewed consensus for enlargement. The Council agrees to return to the matter when the Commission has presented its opinion.'

Iran – Council conclusions

The Council adopted the following conclusions:

‘The Council welcomes the adoption of the United Nations Security Council Resolution 1929. This Resolution underlines the deep concerns within the international community about Iran’s nuclear programme. The offer of negotiations remains on the table. The Council reiterates its support for a negotiated solution and for the efforts of the EU High Representative Catherine Ashton to meet with Iranian counterparts to discuss their nuclear programme and other issues of mutual concern.

The Council discussed this issue and prepared the upcoming European Council which will take up the issue of strong measures accompanying and supporting the UN Security Council Resolution.’

(...)

Haiti and disaster response

The Council held an exchange of views on Haiti and disaster response, with a presentation by the High Representative and the Humanitarian Affairs Commissioner, Kristalina Georgieva, on the basis of their joint letter to the members of the Council. They stressed that the response by Member States and EU institutions to the Haiti earthquake had been swift, large-scale and comprehensive, and noted the importance of using existing structures in future, and improving visibility and readiness still further.

(...)

Kyrgyzstan – Council conclusions

The Council discussed recent events in Kyrgyzstan and adopted the following conclusions:

‘The Council expresses its serious concern over the violent confrontation in the south of Kyrgyzstan, which has already led to a significant number of casualties. It expresses its sincere condolences to the families of the victims.

The Council underlines the need to restore public order and respect for the rule of law, insists that all violence and provocations should cease immediately and calls on all sides to show restraint. Dialogue must be restored as a matter of priority.

The Council insists on the need to pursue the political process to build democratic institutions in Kyrgyzstan, notably through the referendum on a new constitution and early elections as announced by the provisional government. This process represents the best chance to ensure peace, institutional stability, open dialogue, rule of law and democracy for the people of Kyrgyzstan.

The Council confirms the EU’s readiness to respond to the most urgent humanitarian needs of the affected population. An emergency financing decision will be taken by the Commission. It calls on all parties concerned, as well as neighbouring countries, to take appropriate measures to

safeguard access to vulnerable populations and to contribute, where appropriate, to humanitarian support points and corridors, in full accordance with international law.

The Council welcomes the close co-ordination between the European Union, the OSCE and the United Nations and the efforts of the three special envoys. It also asks the High Representative to maintain close contact with the OSCE and the UN and other appropriate actors.’

(...)

CHAPTER 46

MILEX 10 – Fifth EU Military Exercise 2010

Brussels, 14 June 2010

The European Union (EU) will conduct its fifth military exercise (MILEX 10)¹ from 16 to 25 June 2010 in the framework of the Common Security and Defence Policy (CSDP).

MILEX 10 is an EU military exercise focusing on key military aspects of crisis management. It will concentrate on the interaction between the EU Operation Headquarters (OHQ) in Potsdam (Germany) and the EU Force Headquarters (FHQ) in Toulon (France), in the context of an autonomous EU-led military operation.

MILEX 10 will be based on a fictitious crisis scenario which supports the need for a joint military operation that requires the deployment of a military force, comprising land and air components. The exercise scenario is based on a conflict between three fictitious countries (RHODANIA, ACADIA and ALISIA). An EU Mission is already present in theatre, in order to support the international organisations and NGOs dealing with the humanitarian crisis in the border area between ALISIA and ACADIA. The exercise scenario will support the need for an autonomous EU-led operation which will require the deployment of military forces, with the mission of stabilization and reconstruction of ACADIA and ALISIA, as authorised by a UN Security Council Resolution.

Although generic, the exercise scenario will be based on elements that have featured in many conflicts and contains sufficient hypothetical, political and military information to provide a realistic context for the assessment of events.

MILEX 10 will be coordinated in Brussels, under the direction of the EU Military Committee (EUMC), supported by the EU Military Staff (EUMS), and under the guidance of the EU's Political and Security Committee (PSC).

The exercise will be conducted in Potsdam (EU OHQ) and in Toulon (EU FHQ). Some 340 'players' and supporting personnel are expected to take part. No troops will be deployed in the exercise.

The Council decision to schedule MILEX 10 is carried out under the operational authority of the High Representative, Catherine Ashton. The Director General of the EUMS, Lieutenant General van Osch, is responsible for preparing the implementation of the exercise. The appointed commanders for the exercise are Rear Admiral Klaus von Dambrowski (Operation Commander) and Rear Admiral Alain Hinden (Force Commander).

Representatives of NATO staff, the UN, the OSCE, as well as the non-EU European NATO Members and other countries which are candidates for accession to the EU, the African Union, Canada, Russia, Ukraine, the United States and the Mediterranean Partners, will be invited to information briefings about the exercise.

1. The first Military Exercise (MILEX 05) was conducted in November 2005, the second MILEX 07 including the first activation of the EU OpsCentre in Brussels was conducted in June 2007, the third Military Exercise (MILEX 08) was conducted in June 2008, the last Military Exercise (MILEX 09) was conducted in June 2009.

CHAPTER 47

EUPOL RD Congo – Council Decision

Brussels, 14 June 2010

Council decision 2010/329/CFSP amending and extending Joint Action 2007/405/CFSP on the European Union Police Mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28 and 43(2) thereof,

Whereas:

(1) On 12 June 2007, the Council adopted Joint Action 2007/405/CFSP⁽¹⁾ establishing a European Union police mission within the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo).

(2) On 23 June 2008, the Council adopted Joint Action 2008/485/CFSP⁽²⁾ amending and extending Joint Action 2007/405/CFSP until 30 June 2009.

(3) On 15 June 2009, the Council adopted Joint Action 2009/466/CFSP⁽³⁾ amending and extending Joint Action 2007/405/CFSP until 30 June 2010. Joint Action 2009/466/CFSP provided that the Council would establish a new financial reference amount in order to cover expenditure related to the mission for the period from 1 November 2009 to 30 June 2010, which was done with Joint Action 2009/769/CFSP⁽⁴⁾ amending Joint Action 2007/405/CFSP.

(1) OJ L 151, 13.6.2007, p. 46.

(2) OJ L 164, 25.6.2008, p. 44.

(3) OJ L 151, 16.6.2009, p. 40.

(4) OJ L 274, 20.10.2009, p. 45.

(4) On 13 April 2010, following consultation with the Congolese authorities and other parties concerned, the Political and Security Committee endorsed an extension of the mission for 3 months, namely from 1 July 2010 until 30 September 2010.

(5) The mandate of the mission is being carried out in a security context that is liable to deteriorate and to undermine the objectives of the Common Foreign and Security Policy as defined in Article 24 TEU.

(6) Joint Action 2007/405/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Joint Action 2007/405/CFSP is hereby amended as follows:

1. in Article 9(1), the following subparagraph shall be added:

‘The financial reference amount intended to cover the expenditure related to the mission for the period from 1 July 2010 to 30 September 2010 shall be EUR 2 020 000’;

2. in Article 16, the second paragraph shall be replaced by the following:

‘It shall expire on 30 September 2010’.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Luxembourg, 14 June 2010.

For the Council

The President

C. Ashton

CHAPTER 48

EUJUST LEX-IRAQ – Council Decision

Brussels, 14 June 2010

Council decision 2010/330/CFSP on the European Union integrated rule of law mission for Iraq, EUJUST LEX-Iraq

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28 and 43(2) thereof,

Whereas:

(1) On 7 March 2005, the Council adopted Joint Action 2005/190/CFSP on the European Union Integrated Rule of Law Mission in Iraq, EUJUST LEX⁽¹⁾. That Joint Action, as subsequently amended and extended, expired on 30 June 2009.

(2) On 24 March 2009, the Political and Security Committee (PSC) agreed that EUJUST LEX should be extended for another 12 months until 30 June 2010. During this period, EUJUST LEX was to conduct, in addition to continuing its core business, a pilot phase including activities in Iraq.

(3) On 21 May 2010, the PSC agreed that EUJUST LEX-IRAQ should be extended for another 24 months until 30 June 2012. During this period, EUJUST LEX-IRAQ should progressively shift its activities and relevant structures to Iraq, focusing on specialised training, while maintaining out-of-country activities.

(4) The mandate of the Mission is being carried out in a security context that is liable to deteriorate and to undermine the objectives of the Common Foreign and Security Policy as defined in Article 21 of the Treaty on European Union.

(5) The command and control structure of the Mission should be without prejudice to the contractual responsibility of the Head of Mission towards the Commission for implementing the budget of the Mission,

(1) OJ L 62, 9.3.2005, p. 37.

HAS ADOPTED THIS DECISION:

Article 1

Mission

1. The European Union Integrated Rule of Law Mission for Iraq, established by Joint Action 2005/190/CFSP ('EUJUST LEX-IRAQ' or the 'Mission'), shall be continued from 1 July 2010.
2. EUJUST LEX-IRAQ shall operate in accordance with the objectives and other provisions as contained in the Mission statement set out in Article 2.

Article 2

Mission statement

1. EUJUST LEX-IRAQ shall continue to address the needs in the Iraqi criminal justice system through the provision of training for high- and mid-level officials in senior management and criminal investigation. This training shall aim to improve the capacity, coordination and collaboration of the different components of the Iraqi criminal justice system.
2. EUJUST LEX-IRAQ shall promote closer collaboration between the different actors across the Iraqi criminal justice system and strengthen the management capacity of senior and high-potential officials primarily from the police, judiciary and penitentiary and improve skills and procedures in criminal investigation in full respect for the rule of law and human rights.
3. EUJUST LEX-IRAQ shall, where security conditions and resources allow, continue to provide strategic mentoring and advising activities based on verified Iraqi needs and taking into account other international presence and the Union's added value in this area.
4. The training activities shall take place in Iraq and in the region as well as in the Union. EUJUST LEX-IRAQ shall have offices in Brussels and Baghdad, including an antenna in Basra, in preparation for a possible office opening, subject to an appropriate decision to that effect. EUJUST LEX-IRAQ shall also have an office in Erbil (Kurdistan Region). Taking into account the evolution of the situation in Iraq during the implementation of this new mandate, the Head of Mission and the bulk of its staff shall move from Brussels to Iraq and be posted to Baghdad as soon as the situation so permits.
5. Taking into account further developments in the security conditions in Iraq and the outcome of the Mission activities in Iraq, the Council shall examine the results of this new mandate and shall decide on the future of the Mission after 30 June 2012.
6. An effective strategic and technical partnership with the Iraqi counterparts shall be developed throughout the Mission, particularly in relation to the design of the curricula during the planning phase. EUJUST LEX-IRAQ activities should maintain a balanced representation of the Iraqi population, based on a human rights and gender equality approach. Participants shall continue to be able to attend relevant in-country activities, regardless of where they are held. Coordination shall also be needed for the selection, vetting, evaluation, follow-up and coordination of personnel attending the training with the aim of continued appropriation by the Iraqis. There shall also be a need for close coordination during the planning and implementation phases between EUJUST LEX-IRAQ and the Member States providing training. This shall include the involvement of the relevant Member States' diplomatic missions in Iraq and liaison with those Member States with current experience in providing training relevant for the Mission.
7. EUJUST LEX-IRAQ shall be independent and distinct but shall be complementary and bring added value to the efforts of the Government of Iraq and the international community, in particular those of the United Nations (UN) and the United States of America. It shall also develop synergies with relevant activities of the Union and Member States. In this context,

EUJUST LEX-IRAQ shall liaise with the relevant Iraqi authorities, and shall deepen collaboration and avoid duplication with international actors already operating in the country as well as with Member States presently conducting training projects in Iraq.

Article 3

Structure

EUJUST LEX-IRAQ shall have its offices in Brussels and Iraq and shall, in principle, be structured as follows:

- (a) the Head of Mission;
- (b) a coordinating office in Brussels;
- (c) an office in Baghdad with an antenna in Basra;
- (d) an office in Erbil (Kurdistan Region);
- (e) training facilities, trainers and experts provided by the Member States and coordinated by EUJUST LEX-IRAQ.

These elements shall be developed in the Concept of Operations (CONOPS) and the Operation Plan (OPLAN).

Article 4

Civilian Operation Commander

1. The Civilian Planning and Conduct Capability Director shall be the Civilian Operation Commander for EUJUST LEX-IRAQ.
2. The Civilian Operation Commander, under the political control and strategic direction of the Political and Security Committee (PSC) and the overall authority of the High Representative of the Union for Foreign Affairs and Security Policy (HR), shall exercise command and control of EUJUST LEX-IRAQ at the strategic level.
3. The Civilian Operation Commander shall ensure proper and effective implementation of the Council's decisions as well as the PSC's decisions, including by issuing instructions at strategic level as required to the Head of Mission.
4. All seconded staff shall remain under the full command of the national authorities of the sending State or Union institution. National authorities shall transfer Operational Control of their personnel, teams and units to the Civilian Operation Commander.
5. The Civilian Operation Commander shall have overall responsibility for ensuring that the Union's duty of care is properly discharged.

Article 5

Head of Mission

1. The Head of Mission shall assume responsibility and exercise command and control of the Mission at theatre level.
2. The Head of Mission shall exercise command and control over personnel, teams and units from sending States as assigned by the Civilian Operation Commander together with administrative and logistic responsibility including over assets, resources and information put at the disposal of the Mission.
3. The Head of Mission shall issue instructions to all Mission staff, including the Brussels coordinating office, the Erbil and Baghdad offices, and the Basra antenna, for the effective conduct of EUJUST LEX-IRAQ, assuming its coordination and day-to-day management, following the instructions at strategic level of the Civilian Operation Commander.

4. The Head of Mission shall be responsible for the implementation of the Mission's budget. For this purpose, the Head of Mission shall sign a contract with the Commission.
5. The Head of Mission shall be responsible for disciplinary control over the staff. For seconded staff, disciplinary action shall be exercised by the national authority or Union institution concerned.
6. The Head of Mission shall represent EUJUST LEX-IRAQ and shall ensure appropriate visibility of the Mission.

Article 6

Staff

1. The numbers and competence of EUJUST LEX-IRAQ staff shall be consistent with the Mission statement set out in Article 2 and the structure set out in Article 3.
2. EUJUST LEX-IRAQ shall consist primarily of staff seconded by Member States or Union institutions.
3. Each Member State or Union institution shall bear the costs related to any of the staff seconded by it, including travel expenses to and from the place of deployment, salaries, medical coverage, and allowances other than applicable per diem allowances as well as hardship and risk allowances.
4. International and local staff may also be recruited by EUJUST LEX-IRAQ, as required, on a contractual basis, if the functions required are not provided by personnel seconded by the Member States.
5. All staff shall carry out their duties and act in the interest of the Mission. All staff shall respect the security principles and minimum standards established by Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations⁽²⁾.

Article 7

Status of staff

1. Where required, the status of EUJUST LEX-IRAQ staff, including where appropriate the privileges, immunities and further guarantees necessary for the completion and smooth functioning of EUJUST LEX-IRAQ shall be agreed in accordance with the procedure laid down in Article 37 of the Treaty on European Union.
2. The State or Union institution having seconded a staff member shall be responsible for answering any claims linked to the secondment, from or concerning the staff member. The State or Union institution in question shall be responsible for bringing any action against the person seconded.

Article 8

Chain of Command

1. EUJUST LEX-IRAQ shall have a unified chain of command, as a crisis management operation.
2. Under the responsibility of the Council and of the HR, the PSC shall exercise political control and strategic direction of EUJUST LEX-IRAQ.
3. The Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the HR, is the commander of EUJUST LEX-IRAQ at strategic level and, as such, shall issue instructions to the Head of Mission and provide him with advice and technical support.

(2) OJ L 101, 11.4.2001, p. 1.

4. The Civilian Operation Commander shall report to the Council through the HR.
5. The Head of Mission shall exercise command and control of EUJUST LEX-IRAQ at theatre level and shall be directly responsible to the Civilian Operation Commander.

Article 9

Political control and strategic direction

1. The PSC shall exercise, under the responsibility of the Council and of the HR, political control and strategic direction of the Mission. The Council hereby authorises the PSC to take the relevant decisions for this purpose in accordance with the third paragraph of Article 38 of the Treaty on European Union.
2. This authorisation shall include the powers to amend the CONOPS and the OPLAN. It shall also include powers to take decisions regarding the appointment of the Head of Mission. The powers of decision with respect to the objectives and termination of the Mission shall remain vested in the Council.
3. The PSC shall report to the Council at regular intervals.
4. The PSC shall receive on a regular basis and, as required, reports by the Civilian Operation Commander and the Head of Mission on issues within their areas of responsibility.

Article 10

Security

1. The Civilian Operation Commander shall direct the Head of Mission's planning of security measures and ensure their proper and effective implementation for EUJUST LEX-IRAQ in accordance with Articles 4 and 8 and in coordination with the Council Security Office.
2. The Head of Mission shall be responsible for the security of the Mission and for ensuring compliance with minimum security requirements applicable to the Mission, in line with the policy of the European Union on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty on European Union and its supporting documents.
3. For the elements of the Mission which are carried out in Member States, the host Member State shall take all necessary and appropriate measures to ensure the security of the participants and the trainers on its territory.
4. For the coordinating office in Brussels the necessary and appropriate measures shall be organised by the Security Office of the General Secretariat of the Council (GSC) in collaboration with the host Member State's authorities.
5. Should the training take place in a third State, the Union, with the involvement of the Member States concerned, shall ask the third State's authorities to make the appropriate arrangements regarding the security of the participants and the trainers or experts on its territory.
6. EUJUST LEX-IRAQ shall have a dedicated Security Officer for the Mission reporting to the Head of Mission.
7. The Head of Mission shall consult with the PSC on security issues affecting the deployment of the Mission as directed by the HR.
8. EUJUST LEX-IRAQ staff members, trainers and experts shall undergo mandatory security training organised by the GSC Security Office and, when appropriate, medical checks prior to any deployment or travel to Iraq.
9. Member States shall endeavour to provide EUJUST LEX- IRAQ, in particular the offices in Iraq, staff, trainers and experts travelling to and in Iraq, with secure accommodation, body armour and close protection and other security requirements, as appropriate, within Iraq. For

such purpose, the Head of Mission may conclude appropriate arrangements with Member States or local authorities as necessary.

Article 11

Financial arrangements

1. The financial reference amount intended to cover the expenditure related to the Mission between 1 July 2010 and 30 June 2011 shall be EUR 17 500 000.
2. The financial reference amount for the subsequent periods shall be decided by the Council.
3. All expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the European Union.
4. Given the particular security situation in Iraq, services in Baghdad and Basra shall be provided through the contracts entered into by the United Kingdom, other Member States where appropriate or through arrangements concluded between the Iraqi authorities and the companies providing and invoicing for these services. The budget of EUJUST LEX-IRAQ shall cover these expenses. The United Kingdom or other Member States concerned shall, in consultation with the Head of Mission, report with adequate information to the Council on these expenses.
5. The Head of Mission shall report fully to, and be supervised by, the Commission on the activities undertaken in the framework of his contract.
6. The financial arrangements shall respect the operational requirements of EUJUST LEX-IRAQ, including compatibility of equipment.
7. Expenditure shall be eligible as of the date of entry into force of this Decision.
8. The equipment and supplies for the coordination office in Brussels shall be purchased or rented on behalf of the Union.

Article 12

Participation of third States

1. Without prejudice to the Union's decision-making autonomy and its single institutional framework, candidate and other third States may be invited to contribute to EUJUST LEX-IRAQ on the basis that they bear the cost of sending the police experts and/or the civilian staff seconded by them, including salaries, allowances, medical coverage, high risk insurance and travel expenses to and from Iraq, and contribute to the running costs of EUJUST LEX-IRAQ as appropriate.
2. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the proposed contributions.
3. Third States making contributions to EUJUST LEX-IRAQ shall have the same rights and obligations in terms of day-to-day management of the Mission as Member States taking part in the Mission.
4. The PSC shall take appropriate action with regard to participation arrangements and shall, if required, submit a proposal to the Council, including on possible financial participation or contributions in kind from third States.
5. Detailed arrangements regarding the participation of third States shall be the subject of agreements pursuant to Article 37 of the Treaty on European Union and additional technical arrangements as necessary. Where the Union and a third State have concluded an agreement establishing a framework for the participation of that third State in EU crisis management operations, the provisions of such agreement shall apply in the context of the Mission.

*Article 13***Coordination**

1. Without prejudice to the chain of command, the Head of Mission shall act in close coordination with the EU delegation to Iraq to ensure the consistency of Union action in support of Iraq.
2. The Head of Mission shall coordinate closely with the Heads of the diplomatic missions of the relevant Member States.
3. The Head of Mission shall cooperate with other international actors present in the country, in particular the UN.

*Article 14***Release of classified information**

The HR is authorised to release to the host State and the UN, as appropriate and in accordance with the operational needs of the Mission, EU classified information and documents up to the level 'RESTREINT UE' generated for the purposes of the Mission, in accordance with the Council's security regulations. Local arrangements shall be drawn up for this purpose.

The HR shall be authorised to release to third states associated with this Decision, Union non-classified documents related to the deliberations of the Council with regard to the Mission covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council Rules of Procedure⁽³⁾.

*Article 15***Watch-keeping**

The Watch-keeping Capability shall be activated for EUJUST LEX-IRAQ.

*Article 16***Entry into force**

This Decision shall enter into force on the date of its adoption.

It shall apply from 1 July 2010 until 30 June 2012.

Done at Luxembourg, 14 June 2010.

For the Council

The President

C. Ashton

(3) Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35).

CHAPTER 49

Arms Trade – Council Decision

Brussels, 14 June 2010

Council decision 2010/336/CFSP of 14 June 2010 on EU activities in support of the Arms Trade Treaty, in the framework of the European Security Strategy

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 26(2) and Article 31(1) thereof,

Whereas:

(1) On 12 December 2003 the European Council adopted a European Security Strategy that called for an international order based on effective multilateralism. The European Security Strategy acknowledges the United Nations (UN) Charter as the fundamental framework for international relations. Strengthening the UN and equipping it to fulfil its responsibilities and to act effectively, is a priority of the European Union.

(2) On 6 December 2006 the UN General Assembly adopted resolution 61/89 entitled ‘Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms’.

(3) In its conclusions of 11 December 2006, the Council welcomed the formal start of the process towards the elaboration of a legally binding international Arms Trade Treaty (hereinafter referred to as ‘ATT’) and noted with appreciation that a clear majority of UN Member States had supported UN General Assembly resolution 61/89, including all Member States of the Union. The Council reaffirmed that the Union and its Member States would play an active role in this process, and underlined the importance of cooperation in this process with other States and regional organisations.

(4) The UN Secretary-General set up a Group of Governmental Experts (hereinafter referred to as ‘GGE’), comprising 28 members, to continue the consideration of a possible ATT. The GGE met throughout 2008 and concluded that further consideration was required and that efforts should be carried out, on a step-by-step basis, in an open and transparent manner, within the framework of the UN. The GGE encouraged those States in a position to do so, to render assistance to States in need, upon request.

(5) In its conclusions of 10 December 2007, the Council welcomed the establishment of a UN GGE and expressed its firm belief that a comprehensive, legally binding instrument, consistent with existing responsibilities of States under relevant international law and establishing common international standards for the import, export and transfer of conventional arms, would be a major contribution to tackling the undesirable and irresponsible proliferation of conventional arms.

(6) The United Nations Institute for Disarmament Research (UNIDIR) supported this process by undertaking a two- part study consisting of two in-depth analyses of UN Member States' views on the feasibility, scope and draft parameters of an ATT. The analyses, produced in December 2007 and January 2008 served as a useful input to the GGE.

(7) On 24 December 2008 the UN General Assembly adopted resolution 63/240 entitled 'Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms' establishing an Open Ended Working Group (hereinafter referred to as 'OEWG') to further consider those elements in the report of the GGE where consensus could be developed for their inclusion in an eventual legally binding treaty on the import, export and transfer of conventional arms. The OEWG met twice in 2009, and submitted a report to the UN General Assembly noticing that the problem of unregulated trade in conventional weapons and their diversion to the illicit market should be addressed through international action.

(8) Based on the above mentioned Council conclusions, the Union decided to support the ATT process, by opening the debate to include States not members of the GGE, as well as to other actors such as civil society and industry, to develop the understanding of the issue and to contribute to the work of the OEWG. For this purpose, on 19 January 2009 the Council adopted Council Decision 2009/42/CFSP⁽¹⁾ on support for EU activities in order to promote among third countries the process leading towards an Arms Trade Treaty, in the framework of the European Security Strategy.

(9) Within the framework of the implementation of Decision 2009/42/CFSP, UNIDIR, as the implementing agency of the Decision, organised six regional seminars, a side- event and opening and concluding events between February 2009 and February 2010. These activities allowed relevant stakeholders, including representatives of civil society, industry and countries who did not participate in the GGE, to participate in open informal discussions on an ATT. The implementation of Decision 2009/42/CFSP also offered an opportunity to integrate national and regional approaches to the international process underway, and to contribute to identifying the scope and implications of a treaty on the trade in conventional arms.

(10) On 2 December 2009 the UN General Assembly adopted resolution 64/48 entitled 'The arms trade treaty' that decided to convene the UN Conference on the ATT in 2012 to elaborate a legally binding instrument on the highest possible common international standards for the transfer of conventional arms. The resolution also decided that the remaining sessions of the OEWG shall be considered as Preparatory Committee Meetings for the UN Conference.

(11) Considering the activities of Decision 2009/42/CFSP which expires in May 2010, the need to prepare for a successful UN Conference on the ATT in 2012, and the recommendation contained in resolution 64/48 to ensure the widest possible and effective participation in the Conference, the Union should support the preparatory process leading up to the UN Conference to ensure that it is as inclusive as possible and able to make concrete recommendations on the elements of a future ATT. The Union's support to the ATT process should include measures in support of national export and import control systems in third countries that would have to comply with a future ATT,

(1) OJ L 17, 22.1.2009, p. 39.

HAS ADOPTED THIS DECISION:

Article 1

1. For the purpose of supporting the Arms Trade Treaty (hereinafter referred to as the 'ATT'), the Union shall undertake activities with the following objectives:

- to support the preparatory process leading up to the UN Conference on the ATT to ensure that it is as inclusive as possible and able to make concrete recommendations on the elements of the future ATT,
- to support UN Member States in developing and improving national and regional expertise to implement effective arms transfer controls, in order to ensure that the future ATT when coming into force, will be as effective as possible.

2. In order to achieve the objectives referred to in paragraph 1, the Union will undertake the following project:

- organisation of seven regional seminars, a launching and a concluding event, up to three side-events, and dissemination of results.

A detailed description of the project referred to above is set out in the Annex.

Article 2

1. The High Representative of the Union for Foreign Affairs and Security Policy (hereinafter referred to as the 'HR') shall be responsible for the implementation of this Decision.

2. The implementation of the project referred to in Article 1(2) shall be carried out by the UN Institute for Disarmament Research (UNIDIR).

3. UNIDIR shall perform its task under the responsibility of the HR. For this purpose, the HR shall enter into the necessary arrangements with UNIDIR.

Article 3

1. The financial reference amount for the implementation of the project referred to in Article 1(2) shall be EUR 1 520 000.

2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.

3. The European Commission shall supervise the proper management of the expenditure referred to in paragraph 1. For this purpose, it shall conclude a financing agreement with UNIDIR. The agreement shall stipulate that UNIDIR is to ensure the visibility of the contribution of the Union, appropriate to its size.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the financing agreement.

Article 4

The HR shall report to the Council on the implementation of this Decision on the basis of regular reports following the organisation of each of the regional seminars, the final and opening seminars, as well as the side events. The reports will be prepared by UNIDIR and they shall form the basis for the evaluation carried out by the Council. The Commission shall provide information on the financial aspects of the implementation of the project referred to in Article 1(2).

Article 5

1. This Decision shall enter into force on the day of its adoption.
2. This Decision shall expire 24 months after the date of conclusion of the financing agreement referred to in Article 3(3). It shall expire six months after the date of its entry into force if that financing agreement has not been concluded by that time.

Done at Luxembourg, 14 June 2010.

For the Council

The President

C. Ashton

CHAPTER 50

European Council

Brussels, 17 June 2010

Conclusions

(...)

The EU has met the worldwide financial crisis with united resolve and has done what was necessary to safeguard the stability of the Economic and Monetary Union. In particular, in May agreement was reached on a support package for Greece as well as on a European financial stabilisation mechanism and facility, which was finalised in June. We have been laying the foundations for much stronger economic governance. We remain committed to taking all necessary action to put our economies back on the path of sustainable and job-creating growth.

To that end, today:

- we adopt 'Europe 2020', our new strategy for jobs and smart, sustainable and inclusive growth. It constitutes a coherent framework for the Union to mobilise all of its instruments and policies and for the Member States to take enhanced coordinated action. It will promote the delivery of structural reforms. The emphasis must now be on implementation, and we will guide and monitor this process. We will discuss further, over the coming months, how specific policies can be mobilised to unlock the EU's growth potential, starting with innovation and energy policies;
- we reaffirm our collective determination to ensure fiscal sustainability, including by accelerating plans for fiscal consolidation where warranted;
- we confirm our commitment to ensuring financial stability by addressing the gaps in regulation and supervision of financial markets, both at the level of the EU and at the G20. We agree to rapidly advance on key legislative measures so that the new supervisory bodies can start work from the beginning of next year and set an ambitious position for the EU to take at the Toronto Summit;
- we fully agree on the urgent need to reinforce the coordination of our economic policies. We agree on first orientations as regards the Stability and Growth Pact and budgetary surveillance as well as broader macroeconomic surveillance. We look forward to the final report of the Task Force in October.

(...)

ANNEX II – Declaration on Iran

1. The European Council underlines its deepening concerns about Iran's nuclear programme and welcomes the adoption by the UN Security Council of Resolution 1929 introducing new restrictive measures against Iran.
2. The European Council welcomes the recent efforts by Brazil and Turkey to secure progress on the Tehran Research Reactor agreement proposed to Iran by the IAEA in October 2009. A satisfactory agreement with Iran on the TRR could serve as a confidence building measure. However, the European Council stresses that it would not address the core of Iran's nuclear issue. The European Council urges Iran to engage in negotiations on its nuclear programme.
3. The European Council reaffirms the rights and responsibilities of Iran under the NPT. The European Council deeply regrets that Iran has not taken the many opportunities which have been offered to it to remove the concerns of the international community over the nature of the Iranian nuclear programme. The decision by Iran to enrich uranium to the level of 20 per cent, contrary to its international obligations under existing UNSC and IAEA Board of Governors Resolutions has further increased these concerns. In this regard, the European Council notes the last report of the IAEA of 31 May.
4. Under these circumstances, new restrictive measures have become inevitable. The European Council, recalling its declaration of 11 December 2009 and in the light of the work undertaken by the Foreign Affairs Council thereafter, invites the Foreign Affairs Council to adopt at its next session measures implementing those contained in the UN Security Council Resolution 1929 as well as accompanying measures, with a view to supporting the resolution of all outstanding concerns regarding Iran's development of sensitive technologies in support of its nuclear and missile programmes, through negotiation. These should focus on the areas of trade, especially dual use goods and further restrictions on trade insurance; the financial sector, including freeze of additional Iranian banks and restrictions on banking and insurance; the Iranian transport sector, in particular the Islamic Republic of Iran Shipping Line (IRISL) and its subsidiaries and air cargo; key sectors of the gas and oil industry with prohibition of new investment, technical assistance and transfers of technologies, equipment and services related to these areas, in particular related to refining, liquefaction and LNG technology; and new visa bans and asset freezes especially on the Islamic Revolutionary Guard Corps (IRGC).
5. The European Council confirms once again the commitment of the European Union to work for a diplomatic solution of the issue of Iran's nuclear programme. The European Council calls on Iran to demonstrate willingness to build the confidence of the international community and to respond to the invitation for resumption of negotiations, and reaffirms the validity of the June 2008 proposals made to Iran.
6. What is needed is a serious negotiation about Iran's nuclear programme and other issues of mutual concern. The European Council underlines that the EU High Representative for Foreign Affairs and Security Policy is ready to resume talks in this regard.

CHAPTER 51

Middle East Peace Process

Brussels, 17, 20 & 30 June 2010

Remarks by HR Catherine Ashton on Gaza

Brussels, 17 June 2010

EU High Representative Catherine Ashton made the following remarks today in the margins of the European Council meeting in Brussels:

'I look with great interest at what the Israeli government has said and this is an 'in principle' statement at this stage. We've said there should be a change from a list of goods that are allowed into Gaza, a reversal of that, to a list of goods that are not allowed, in order to make sure that many many more goods can get in to Gaza to enable people to reconstruct their homes, to build schools, to replace infrastructure and also to allow people to get on with their ordinary lives. We also want to see that the crossings are open to enable that to happen properly, effectively and quickly. And we've offered to Israel support, of course linked to the Palestinian Authority, if we can be of value. And tomorrow I'll chair a meeting in Brussels of people involved in the EU's work in the Middle East to see what we can offer and then we can move forward, if that would be useful for Israel and for the Palestinian Authority.

I've been in touch with Israel, with the Palestinian Authority, with Egypt, Turkey, the US. This morning I spoke with Senator Mitchell to find out how the proximity talks are going, which of course are a very important aspect towards peace in the Middle East. We hope that the 'in principle' statement of the government of Israel can now be followed up very quickly with the detail which we shall look at with interest and hope that we can push forward, offer our support, and ensure that the people of Gaza can now actually move to a normal life.'

Statement by HR Catherine Ashton on Israeli Gaza decision

Brussels, 20 June 2010

Catherine Ashton, the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission said: *'I am very encouraged by the announcement of the Government of Israel. It represents a significant improvement and a positive step forward. Once implemented, Israel's new policy should improve the lives of the ordinary people of Gaza while addressing the legitimate security concerns of Israel.'*

The High Representative Catherine Ashton reiterated the EU belief that the situation in Gaza remains unsustainable and the blockade is counterproductive, hurts ordinary people, prevents reconstruction and fuels radicalism.

'We need to enable people to reconstruct their homes, to build schools, to improve infrastructure, allowing business to revive so that people in Gaza can get on with their ordinary lives,' High Representative Catherine Ashton added.

As stated by EU foreign ministers last week, the EU is ready to support Israel and the Palestinian Authority in the opening of land crossings. The 2005 Agreement on Movement and Access and UNSC resolution 1860 should remain the key framework.

'I would also like to reiterate that Gilad Shalit must be released immediately,' Catherine Ashton said. *'More work remains to be done. Implementation is key. We want to work in partnership with Israel and the Palestinian Authority to find a satisfactory solution – I am in contact with the Government of Israel, the Palestinian Authority and the Quartet partners. We will continue discussions and examine the details of the proposed changes and their implementation. I hope that current efforts will not be undermined. To make progress, an atmosphere of calm, restraint and responsibility is of paramount importance,'* Catherine Ashton concluded.

Quartet Statement

21 June 2010

The Quartet reaffirms that the current situation in Gaza, including the humanitarian and human rights situation of the civilian population, is unsustainable, unacceptable, and not in the interests of any of those concerned. The Quartet reiterates its call for a solution that addresses Israel's legitimate security concerns, including an end to weapons smuggling into Gaza; promotes Palestinian unity based on the Palestine Liberation Organization (PLO) commitments and the reunification of Gaza and the West Bank under the legitimate Palestinian Authority; and ensures the unimpeded flow of humanitarian aid, commercial goods and persons to and from Gaza, consistent with United Nations Security Council resolution 1860 (2009). The Quartet declares its readiness to work closely with Israel, the Palestinian Government and international donors in order to achieve sustainable economic development on the basis of the full implementation of the Agreement on Access and Movement of 2005 and in the broader perspective of the two-State solution.

Consistent with these objectives, the Quartet and the Quartet Representative have worked with Israel, as well as consulting the Palestinian Authority, Egypt and other concerned parties, to effect a fundamental change in policy in Gaza. The new policy towards Gaza just announced by the Government of Israel is a welcome development. The Quartet notes that the elaboration of further details and modalities of implementation will be important in ensuring the effectiveness of the new policy. Full and effective implementation will comprise a significant shift in strategy towards meeting the needs of Gaza's population for humanitarian and commercial goods, civilian reconstruction and infrastructure, and legitimate economic activity, as well as the security needs of Israel. The Quartet will continue to work with Israel, the Palestinian Authority and other concerned parties to ensure these arrangements are implemented as quickly as possible.

The Quartet affirms that much work remains to achieve fully the solution stated above, and, in consultation with the concerned parties, it will monitor closely the implementation of the policy in all its aspects. It will actively explore additional ways to improve the situation in Gaza, encourage involvement of the Palestinian Authority at the crossings and promote greater commerce between the West Bank and Gaza.

The Quartet stresses the importance of United Nations and other international interventions, as well as the work of local non-governmental organizations, to be expanded in Gaza to meet urgent civilian needs, and calls on all parties to fully enable this work.

The Quartet recognizes that Israel has legitimate security concerns that must continue to be safeguarded, and believes efforts to maintain security while enabling movement and access for Palestinian people and goods are critical. The Quartet commits to work with Israel and the international community to prevent the illicit trafficking of arms and ammunition into Gaza. It urges all those wishing to deliver goods to do so through established channels so that their cargo can be inspected and transferred via land crossings into Gaza. The Quartet emphasizes that there is no need for unnecessary confrontations and calls on all parties to act responsibly in meeting the needs of the people of Gaza.

The Quartet also calls for an end to the deplorable detention of Gilad Shalit in advance of the fourth anniversary of his capture on 25 June; it further condemns the violation of Hamas' international obligation to provide him access by the International Committee of the Red Cross and demands that Hamas immediately remedy the situation.

The Quartet also reiterates its support for proximity talks towards the resumption, without preconditions, of direct bilateral negotiations that resolve all final status issues as previously agreed by the parties. The Quartet believes these negotiations should lead to a settlement, negotiated between the parties within 24 months, that ends the occupation which began in 1967 and results in the emergence of an independent, democratic and viable Palestinian State in the West Bank and Gaza, living side by side in peace and security with Israel and its other neighbours.

Statement by HR Catherine Ashton on Israel-Palestinian proximity peace talks

Brussels, 30 June 2010

Catherine Ashton, the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission, made the following statement today:

'I am deeply concerned by recent settlement-related activity in East Jerusalem and the recent unrest in Silwan. I recall that the European Union has never recognised the annexation of East Jerusalem. Settlements and the demolition of homes are illegal under international law, constitute an obstacle to peace and threaten to make a two-state solution impossible. If there is to be genuine peace, a way must be found through negotiations to resolve the status of Jerusalem as the future capital of two states.

I would like to call on Israel to refrain from measures which may undermine the ongoing proximity talks. These talks enjoy our full support and the parties need to engage seriously in these negotiations.'

CHAPTER 52

EEAS

Brussels, 21 June 2010

Creation of the EEAS is one of the most significant changes introduced by the Treaty of Lisbon, which entered into force on 1 December 2009. It is aimed at making the EU's external action more coherent and efficient, thereby increasing the EU's influence in the world. The EEAS will assist Catherine Ashton in fulfilling her mandate. It will work in cooperation with the diplomatic services of the member states and comprise officials from relevant departments of the General Secretariat of the Council and of the Commission, as well as staff seconded from the national diplomatic services of the member states.

Statement of the European Parliament, the High Representative of the Union for Foreign Affairs and Security Policy, the Council and the Commission on the European External Action Service

The Presidency of the Council of the EU (Foreign Minister Miguel Moratinos and Secretary of State Lopez Garrido), the High Representative (Catherine Ashton), the Commission (Maroš Šefčovič) and the European Parliament representatives (MEPs Brok, Verhofstadt and Gualtieri) met on 21 June 2010 in Madrid. This meeting has been preceded by a number of contacts with the European Parliament, in particular on 14 April, 27 April, 10 May, 27 May and 8 June 2010.

1. The parties reached today political agreement on the proposal for a Council Decision establishing the organisation and functioning of the European External Action Service. In addition to the Decision, parties reached agreement on the text of two Declarations by the High Representative: on political accountability and on the basic structure of the central administration.
2. On the basis of the agreement reached, the participants committed themselves to seek endorsement of the package by their respective institutions as soon as possible in order to proceed to formal adoption of the Council Decision establishing the organisation and functioning of the European External Action Service and the related Declarations, once all the procedural steps would have been completed.
3. In addition, the participants agreed that they have now to work constructively for the solution of the remaining questions in particular the adoption of the Financial Regulation and the Staff Regulations.

Counter-terrorism financing

Brussels, 28 June 2010

Signature of EU-US Agreement on financial messaging data for purposes of the US Terrorist Finance Tracking Programme (TFTP)

The European Union and the United States of America signed today an EU-US agreement on the processing and transfer of financial messaging data for purposes of the US Terrorist Finance Tracking Programme (TFTP). The signature follows the adoption by the Council – via a written procedure – of a decision plus accompanying declarations (11222/1/10 REV 1, 11222/1/10 REV 1 COR 1 and 11350/2/10).

The agreement was signed by Alfredo PÉREZ RUBALCABA, Minister of Interior of Spain, on behalf of the European Union, and by Michael DODMAN, Chargé d'affaires of the US Mission to the European Union, on behalf of the United States of America, in the presence of Cecilia MALMSTRÖM, European Commissioner for Home Affairs.

The agreement will now be transmitted to the European Parliament which needs to give its consent by a majority of its members before the agreement can enter into force. The next possibility for the European Parliament to vote on the agreement is during the plenary session from 5-8 July 2010.

The agreement is meant to allow the US Department of the Treasury to receive financial messaging data stored in the EU in order to allow targeted searches for counter-terrorism investigations, while ensuring an adequate level of data protection. Once approved, the agreement will run for five years. It will automatically extend for subsequent periods of one year unless one of the parties notifies the other of its intention not to extend the agreement.

Under the TFTP, the US Department of the Treasury seeks to identify, track and pursue suspected terrorists and their providers of finance. It was set up shortly after the terrorist attacks of 11 September 2001. Relevant results of the US analysis have been shared with EU member states and have contributed to effective investigation and prevention of terrorist attacks, including attacks on EU citizens.

CHAPTER 54

Middle East Peace Process – Statement by Catherine Ashton

Brussels, 5 July 2010

Statement by HR Catherine Ashton on announcement by Israel on Gaza blockade

Today's announcement by the Government of Israel is another significant step forward in the review of its policy on Gaza. As I have always said, once implemented, Israel's new policy should improve the lives of the ordinary people of Gaza while addressing the legitimate security concerns of Israel.

While the details of the lists will have to be carefully examined, I hope that the complete implementation of these measures will allow for the reconstruction of Gaza and the revival of its economy. Private sector development and commercial activity, including exports, will be crucial for the recovery of Gaza. The movement of persons and trade between Gaza and the West Bank should remain one of the key objectives.

To enable the people in Gaza to reconstruct their homes, to build schools, to improve infrastructure and start new businesses, the capacity of crossings must be expanded. As stated by EU foreign ministers last week, the EU is ready to support Israel and the Palestinian Authority in the opening of land crossings.

I reiterate once again that Gilad Shalit must be released immediately.

We will continue discussions and examine the details of the proposed changes and their implementation with Israel, the Palestinian Authority and the Quartet Partners.

CHAPTER 55

EEAS – Speech and statement by Catherine Ashton

Strasbourg, 7 July 2010

Speech by HR Catherine Ashton to the European Parliament on the creation of the EEAS

I am delighted to be here to discuss one of the most important issues on the European agenda – the creation of the European External Action Service.

Let me start with a word of gratitude for the constructive engagement of the Parliament and the rapporteurs – in particular Elmar Brok, Guy Verhofstadt and Roberto Gualtieri – throughout this process. And to the committees – AFET, Development, Constitutional Affairs, Budget and Budgetary Control, JURI – whose work has improved the text for the EEAS decision in many ways. And to the President of the parliament: Thank you.

We have achieved a lot together in recent weeks, building the necessary common ground among all concerned. I pay tribute to the other members of our Quadrilogue, Maros Sefcovic and the Commission, and the Spanish Presidency led by Miguel Moratinos together with colleagues in the Council.

I am especially grateful to the legal services who have offered us good advice and support throughout.

Now the time has come to decide.

In recent months, there has been a lot of attention, rightly, on the institutional complexities and administrative intricacies. Laying the foundations is a critical task, but without losing sight of the reasons we are creating this service. Reasons that have become more and more obvious as I have travelled, on your behalf, to visit Governments, Military missions, our delegations and programmes across the world.

So before going further into the detail let me just say something about the vision for the EEAS in the future.

There is no better place than this House and no better moment than today to remind ourselves why the EEAS is so important for the EU. Why it marks a change in how we operate in a fast changing geopolitical landscape.

We cannot afford to act in a disparate manner in a world that is seeing fundamental power shifts and where problems are increasingly complex and inter-linked.

We need to defend Europe's interests and project Europe's values in a more coherent and effective way. And we should be ambitious in how we do it.

The European Union and the Member-States have an impressive array of instruments, resources, relationships and expertise to help build a better, more stable world.

Now we need to bring all this together, to forge joined up strategies and maximise our impact on the ground. Particularly in the troubled parts of the world where our action matters the most. Wherever I have travelled – from Gaza to Haiti to East Africa and Balkans – this has been the key conclusion.

EU external action will always involve different actors. It is right and proper that development policy operates differently from diplomacy, crisis management or humanitarian aid.

Andris Piebalgs, Stefan Fule and Kristilina Georgieva, together with other Commission colleagues, have clear, distinct roles and I pay tribute to the work they are doing – under Lisbon we have the opportunity to operate under one shared comprehensive political strategy.

An aspiration now becoming reality

My vision for the EEAS is one which ensures that when we speak, our voice is heard. And when we engage, our actions make the difference. Our citizens know that in the face of big problems such as fragile states, pandemics, energy security, climate change and illegal migration, we are more effective together.

And that effectiveness requires us to mobilise all the means at our disposal – diplomacy, political engagement, development assistance, civil and military crisis management tools in support of conflict prevention, peace building, security and stability. Important for the future of Europe, important for the future of the world.

I have seen myself what we are capable of when we work together. When I travelled to East Africa I saw what our naval operation, Atalanta, is doing so well offshore. But I also saw the important capacity building and development work onshore. And as those engaged in our military mission were quick to say – the solution to the problems at sea lies on the land.

And that is why, working with Andris Piebals, we are making sure our programmes work better together. And why I will be returning to meet again with the leaders of Kenya, Tanzania, Mauritius, Seychelles, South Africa, Mozambique the Regional organisations and AU, to discuss how we can support their African leadership to find political solutions on the ground and how we can support the people of Somalia to a better future.

I know what we can, and are doing – I also know what we can achieve for the future. I am ambitious – I confess, for I believe it is time to move forward and get the Service up and running quickly.

We have a good deal on the table: a draft Decision and a set of Declarations that form a coherent package. Mr President I am submitting them formally to the record of today's proceedings.

I will not dwell on each and every aspect, but let me highlight some specific points on how we have found proper safeguards in areas that I know are important to this House:

- First and foremost, the text makes clear that we are safeguarding the Community method in all areas where it exists today. The EEAS will co-operate closely with the Commission services as part of the EU system.
- Second, I know how important political accountability is for this House. I am confident that a good framework has been found through the political declaration on Political Accountability.

I am looking forward to the intensive dialogue and exchange of information with the European Parliament and will make sure that my collaborators also give high priority to this aspect of their work.

The many obligations inherent in the job as High Representative do not allow me to be present as often as I would like in your debates.

But I am happy that we will have a system for my replacement in such cases, involving in particular colleagues from the Commission and from time to time also a Member of the Foreign Affairs Council from the rotating Presidency or the Presidency trio.

- Third, financial accountability. I am satisfied that we have clear language and guarantees regarding sound financial management including appropriate solutions to issues such as discharge and sub-delegation of budgetary powers to Heads of Delegation.

As a sign of the importance I attach to this issue I envisage a senior management team that not only has a Chief Executive Officer in the Executive Secretary General but also a Chief Operating Officer in the senior DG for budget and administration.

- Fourth, we have agreed carefully balanced arrangements regarding development policy and instruments. I know there was some concern that we might lose sight of development policy in the new setup. Believe me, the opposite is the case.

Development is central to EU external action. It has given give us a strong profile on the international stage, as the world's leading donor. So, our cooperation programmes are a key tool in our bilateral and regional relationships.

This remains the case in the new Lisbon context. But Development cannot be pursued on its own, separate from other strands of external relations.

That is why we are creating a strong common platform, allowing us to work together – Andris Piebalgs, Stefan Füle and myself to ensure that general development objectives and poverty reduction in particular are mainstreamed in our cooperation programmes.

- Fifth, we also have a balanced agreement on staff issues, between the wish of Member States to have at least one-third of staff in the EEAS coming from national diplomatic services – so that we can draw on their expertise, language and historical ties – while at the same time ensuring at least 60% of permanent officials.

In the same way, I am clear we need to ensure a proper gender and geographical balance, and not lose sight of wider diversity issues.

I am personally committed to this. Diversity is strength. A service that represents the EU should reflect that diversity. The wealth of experience, insights and languages that Europe's best diplomats will bring into the Service, will be one of our distinctive features and competitive advantage.

- Sixth, you will have seen my Declaration on the EEAS' central administration. The idea is that we all have a shared understanding on how the Service will look like.

I agree with the amendments that you have proposed and I will support them in the Council.

It is important to try to get things right at the beginning while giving ourselves the chance to review how things work, in light of new priorities and developments.

Members of this house have asked a number of questions on the handling of Crisis management and peacebuilding. I can assure you that the CSDP structures will be part of the EEAS in the way that was agreed by the European Council in October 2009 and as foreseen in the EEAS Decision.

I will ensure that the relevant units from the Commission which deal with planning and programming of crisis response, conflict prevention and peace building, and the CSDP structures, work in close cooperation and synergy, both under my direct responsibility and authority within the appropriate structure. This is of course without prejudice to the specific nature, notably intergovernmental and communitarian, of the policies.

Effective coordination of the work of the various departments in the EEAS will be key. Under my direct authority and responsibility, full coordination between all the services of the EEAS, in particular between the CSDP structures and the other relevant services of the EEAS will be ensured, respecting the specific nature of these structures.

I will also ensure that the right coordination is established between the EU Special Representatives and the relevant Departments in the EEAS.

- Finally, this House has also always paid great attention to Human Rights issues. This is a priority I fully share and I promise that as High Representative I will give high priority to the promotion of Human Rights and good governance around the globe and make sure they are a silver thread running through everything we do.

There will be a human rights and democracy structure at headquarters level as well as focal points in all relevant Union delegations with the task of monitoring the human rights situation and promoting an effective realisation of EU human rights policy goals.

Honourable Members,

Europe needs the External Action Service to build a stronger foreign policy. We need an integrated platform to project European values and interests around the world. It is time to give ourselves the means to realise our ambitions. It is time to get the right people in place to start doing the necessary work.

I agree with the amendments that you have proposed and I will support them in the Council. I thank you for co-operation and I am counting on your support.

The vote you are making is an historic step in the development of the European Union. And although it isn't the destination, it's a key staging post in realising our shared vision for the future.

Thank you.

Statement by HR Catherine Ashton following the vote in the European Parliament on the European Union External Action Service

Brussels, 8 July 2010

I am delighted that an overwhelming majority of the European Parliament has approved the opinion on the European External Action Service, based on my initial proposal.

I want to express my gratitude for the constructive engagement and close co-operation of the Parliament and the rapporteurs – in particular Elmar Brok, Guy Verhofstadt and Roberto Gualtieri – with whom I have worked intensively to achieve today's result. Discussions in the various committees have helped to improve the text for the EEAS decision and have given us a shared basis on which to build the Service.

Since tabling my proposal in March, the institutions of the EU have worked tirelessly with a shared vision. Today we are closer to realising this vision, but a lot of work remains to be done.

I will continue to put my energy into this so that we can establish an effective service as soon as possible. The Commission will now have to give its final consent before the Council adopts the decision later this month.

It is important also that we move rapidly with the amendment to the Staff and Financial Regulations, and an amending budget for 2010 to allow the Service formally to come into being.

While remaining ambitious to deliver on the promises of the Treaty of Lisbon, I will do everything possible, especially in the current economic climate, to maximise cost efficiencies, avoid duplication and strengthen financial discipline. I want a lean and efficient Service that assures best value for money, staffed by the best and the brightest from across the European Union.

CHAPTER 56

Foreign Affairs Council

Brussels, 12 July 2010

Arms Trade Treaty – Council Conclusions

The Council adopted the following conclusions:

‘The Council firmly supports the negotiation of an Arms Trade Treaty, a legally binding international instrument establishing common international standards for the import, exports and transfers of conventional weapons. Such an international instrument will certainly contribute to reinforce international peace and security.

The Council welcomes the adoption by the UN General Assembly, with the support of all EU Member States, of resolution 64/48 on the Arms Trade Treaty. The resolution mandates five meetings of a Preparatory Committee leading to a UN negotiating conference in 2012 on the Arms Trade Treaty.

The Council looks forward to the first session of the Preparatory Committee to be held in New York 12-23 July 2010, and expresses its readiness to contribute to the works of the Preparatory Committee in order to ensure that they will be effective and substantial.

The Council will work towards reaching agreement in the Preparatory Committee on concrete and comprehensive recommendations on the content of future Treaty to be submitted for consideration by the 2012 UN Conference.

In the view of the Council, in order to be most effective, an Arms Trade Treaty should be as universal as possible and have a real impact on the conventional arms trade. A strong and robust Arms Trade Treaty should prevent conventional weapons from being used to threaten security, destabilise regions and states, violate international human rights law or international humanitarian law, undermine economic and social development or exacerbate conflict. An ATT should also prevent the diversion of conventional weapons to the illicit market.

To this effect, the scope of the Treaty, in terms of arms and activities covered, should be as wide as possible. The treaty should also require State Parties to assess all applications for arms trade against the highest possible standards and parameters, including the respect for human rights and international humanitarian law, and a thorough analysis of the risk of diversion to unintended users. The Arms Trade Treaty should include transparency, monitoring and assistance provisions.

The Council underlines that no effort should be spared to ensure that the sessions of the Preparatory Committee will be as inclusive as possible. To this end the Council adopted on 14 June 2010 Council Decision 2010/336/CFSP on EU activities in support of the Arms Trade Treaty process. The Council Decision foresees a series of outreach activities, promoting the ATT process among UN Member States, civil society, and industry, building on the results of the regional seminars on ATT held in 2009 in the framework of Council Decision 2009/42/CFSP.’

CHAPTER 57

Middle East Peace Process – Remarks by Catherine Ashton

Brussels, 17 & 18 July 2010

Remarks made by HR Catherine Ashton after meeting Prime Minister Fayyad in Ramallah, 17 July 2010

It is a pleasure to have met Prime Minister Fayyad in Palestine today. We have had very fruitful and constructive discussions.

Fayyad's Plan and EU Support

Our meetings are a sign of the strong political and financial commitment of the European Union to the Palestinian Authority and Prime Minister Fayyad's leadership in building a democratic and viable Palestinian state.

Palestinian statehood is critical for any peaceful, workable and lasting solution. We discussed his state-building plan and our strong support for it.

I am also happy to announce that the EU will allocate an additional 40 million euros to the Palestinian Authority as direct financial support. And in the autumn, we will explore possibilities for further financial support.

Gaza

I will visit Gaza again tomorrow to see the situation on the ground, meet with UNRWA and launch the EU-PA Business Recovery Programme with a visit to EU funded projects to support private sector development.

We have discussed the situation in Gaza. I stressed the need for full and effective implementation of the new Israeli policy to improve the lives of the people of Gaza and meet their needs for humanitarian and commercial goods.

Improving the economic situation in the Gaza Strip is not simply a matter of letting in aid it is a matter of revitalizing the local economy. For a fundamental change, private sector development and commercial activity, including exports, will be crucial. As PM Fayyad, we also believe that the movement of persons and trade between Gaza and the West Bank should be one of the key objectives.

Capacity at the crossings must be expanded and I hope the Palestinian Authority returns to the Gaza Strip.

The Agreement on Movement and Access should remain the key framework. The Palestinians must overcome their differences in order to build a state.

Possible EU Mission

If we can be of value and the parties agree, the EU is ready to play a role at the crossings provided that a number of conditions are met. These relate to the Agreement on Movement and Access: capacity at crossings, procedures, exports, movement of persons, security.

Peace Process

I also discussed the peace process with PM Fayyad. I have listened carefully to his positions and hope a satisfactory way for both sides can be found to proceed with the talks as soon as possible. This is now needed if we want to make further progress in the negotiations for bringing an end to the conflict.

I have and will therefore encourage both the Palestinian Authority and Israel to begin substantive discussions on all the final status issues. The outlines of a deal are well known. It is time to get engaged in serious and substantive talks.

We want to see confidence building measures and avoid measures that undermine the peace process.

In this respect, I have to express my deep concern about the latest developments in East Jerusalem, which I believe are counterproductive.

Let me again commend Prime Minister Fayyad for his work and his leadership.

The European Union will continue to work side by side with him and his government to lay the foundations for a Palestinian State.

Remarks made by HR Catherine Ashton after meeting with Israeli Foreign Minister Avigdor Lieberman

18 July 2010

I am very pleased to be in Israel today. I just had a constructive and productive meeting with FM Lieberman. This is my second visit to the region in my capacity as High Representative/Vice-President. Yesterday I met with PM Fayyad and today I visited Gaza and Sderot. I have also met with MoD Barak and will be meeting later this evening PM Netanyahu.

There are three main objectives for my visit in Israel:

First, to discuss the situation in Gaza. I have welcomed the new policy of the Israeli government as an important step forward.

As I have always said, Israel's new policy should improve the lives of the ordinary people of Gaza while addressing the legitimate security concerns of Israel. The position of the EU is clear: the blockade is unacceptable, unsustainable and counterproductive. It is not in the interests of any of those concerned.

If we can be of value and the parties agree, the EU is ready to support a smooth handling of goods at the crossings, based on to the Agreement on Movement and Access.

I fully agree that Israel's security is of paramount importance in moving ahead. I was in Sderot today and tomorrow morning I will meet the family of Gilad Shalit and share with them my deepest sympathy.

I cannot conceive of the terrible pain that Aviva and Noam Shalit have had to endure everyday of the four years since Gilad Shalit has been abducted. Gilad must be released without delay and the Red Cross representatives must now be allowed to visit him.

Second, we have discussed the peace process. I have listened carefully to the positions of both sides and hope a satisfactory way can be found to proceed to direct talks asap, which are now needed if one wishes to make further progress in the negotiations for bringing an end to the conflict.

I have therefore encouraged both the Palestinian Authority and Israel to begin discussions on all the final status issues, including security, Jerusalem and borders. The outlines of a deal are very well known.

I believe we need to see confidence building measures and at the same time avoid measures that undermine the peace process. In this respect, I have to express my deep concern about recent settlement activity in East Jerusalem.

My third objective was to emphasize the strong bond between the EU and Israel. We have a solid and vibrant partnership in the framework of the European Neighbourhood Policy across an extensive range of sectors. There is a huge potential to further develop these relations. I have discussed with Minister Lieberman on how best to do this in the future.

Thank you.

Remarks made by HR Catherine Ashton during her visit to Gaza at UNRWA School and summer camp

18 July 2010

First of all I want to say what a pleasure it has been to come to Gaza again and have the opportunity to meet the children here at this UNRWA summer camp. They are clearly having a fantastic time, but also the opportunity to work together, to learn and to have fun together. I want to begin by paying tribute not only to UNRWA, but also to all the teachers and the support staff who so freely give their time to make this possible. Watching the children have these opportunities has been a great joy.

I want also to show the commitment of Europe to help these children have a brighter future. Today we have given an additional two million euros to support not only the schools, but also the organizations to make sure that this work will continue.

I wanted to come back to Gaza only a few months since I was here last to make sure that we are also supporting the economy of Gaza. There are small signs of change in policy to allow goods into Gaza, but we continue to call for the opening of the crossings to enable people and goods to move around. In particular to allow the people of Gaza to run their businesses, to grow their own economy and in that sense to be able to offer a future to their children. Improving the economic situation in the Gaza Strip is not simply a matter of letting in aid – it is a matter of revitalizing the local economy with private sector development and commercial activity, including exports.

And so as I said, I am delighted to be back here in Gaza for one, I hope, of the many visits I will make while I am in office. I will continue to press for all support of the EU and to try and make sure that what I have asked for, which is the opening of the crossings for goods and people and the growth of the economy, happens.

Thank you.

CHAPTER 58

General Affairs Council

Brussels, 26 July 2010

European External Action Service

The Council adopted a decision establishing the European External Action Service (EEAS) and setting out its organisation and functioning (11665/1/10).

The creation of the EEAS is one of the most significant changes introduced by the Treaty of Lisbon, which entered into force on 1 December 2009. It is aimed at making the EU's external action more coherent and efficient, thereby increasing the EU's influence in the world.

The EEAS will assist Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy, in fulfilling her mandate. It will work in cooperation with the diplomatic services of the member states and comprise officials from relevant departments of the General Secretariat of the Council and of the Commission, as well as staff seconded from the national diplomatic services of the member states.

For details, see: http://eeas.europa.eu/background/index_en.htm

Weapons of mass destruction – Implementation of EU strategy

The Council adopted a decision on support for the preparatory commission of the Comprehensive Nuclear-Test Ban Treaty Organisation (CTBTO) in order to strengthen its monitoring and verification capabilities (doc. 8681/10).

The decision was taken under the 2003 EU strategy on measures to prevent the proliferation of weapons of mass destruction, which requires particular attention to be paid to strengthening the multilateral treaty system and to undertaking efforts aimed at strengthening international organisations in charge of verification activities.

Against this background, the Council in previous years adopted joint actions 2006/243/CFSP, 2007/468/CFSP and 2008/588/CFSP on support for the preparatory commission of the CTBTO in the areas of training, monitoring and verification.

Separately, the Council adopted a decision establishing a European network of independent non-proliferation think tanks in support of the EU's anti-WMD strategy (doc.5382/10).

CHAPTER 59

EEAS – Council Decision

Brussels, 26 July 2010

On 26 July, the Council adopted a decision establishing the European External Action Service (EEAS) and setting out its organisation and functioning. On this occasion, HR Catherine Ashton said: ‘I am delighted that in four short months since I tabled the proposal, we have come so far. We can now move forward to build a modern, effective and distinctly European service for the 21st century. The reason is simple: Europe needs to shape up to defend better our interests and values in a world of growing complexity and fundamental power shifts.’

Council decision establishing the organisation and functioning of the European External Action Service (2010/427/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 27(3) thereof,
Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy (‘the High Representative’),

Having regard to the Opinion of the European Parliament,
Having regard to the consent of the European Commission,

Whereas:

(1) The purpose of this Decision is to establish the organisation and functioning of the European External Action Service (‘EEAS’), a functionally autonomous body of the Union under the authority of the High Representative, set up by Article 27(3) of the Treaty on European Union (‘TEU’), as amended by the Treaty of Lisbon. This Decision and, in particular, the reference to the term ‘High Representative’ will be interpreted in accordance with his/her different functions under Article 18 TEU.

(2) In accordance with the second subparagraph of Article 21(3) TEU, the Union will ensure consistency between the different areas of its external action and between those areas and its other policies. The Council and the Commission, assisted by the High Representative, will ensure that consistency and will cooperate to that effect.

(3) The EEAS will support the High Representative, who is also a Vice-President of the Commission and the President of the Foreign Affairs Council, in fulfilling his/her mandate to conduct the Common Foreign and Security Policy (‘CFSP’) of the Union and to ensure the consistency of the Union’s external action as outlined, notably, in Articles 18 and 27 TEU. The

EEAS will support the High Representative in his/her capacity as President of the Foreign Affairs Council, without prejudice to the normal tasks of the General Secretariat of the Council. The EEAS will also support the High Representative in his/her capacity as Vice-President of the Commission, in respect of his/her responsibilities within the Commission for responsibilities incumbent on it in external relations, and in coordinating other aspects of the Union's external action, without prejudice to the normal tasks of the Commission services.

(4) In its contribution to the Union's external cooperation programmes, the EEAS should seek to ensure that the programmes fulfil the objectives for external action as set out in Article 21 TUE, in particular in paragraph (2)(d) thereof, and that they respect the objectives of the Union's development policy in line with Article 208 of the Treaty on the Functioning of the European Union ('TFEU'). In this context, the EEAS should also promote the fulfilment of the objectives of the European Consensus on Development⁽¹⁾ and the European Consensus on Humanitarian Aid⁽²⁾.

(5) It results from the Treaty of Lisbon that, in order to implement its provisions, the EEAS must be operational as soon as possible after the entry into force of that Treaty.

(6) The European Parliament will fully play its role in the external action of the Union, including its functions of political control as provided for in Article 14(1) TEU, as well as in legislative and budgetary matters as laid down in the Treaties. Furthermore, in accordance with Article 36 TEU, the High Representative will regularly consult the European Parliament on the main aspects and the basic choices of the CFSP and will ensure that the views of the European Parliament are duly taken into consideration. The EEAS will assist the High Representative in this regard. Specific arrangements should be made with regard to access for Members of the European Parliament to classified documents and information in the area of CFSP. Until the adoption of such arrangements, existing provisions under the Interinstitutional Agreement of 20 November 2002 between the European Parliament and the Council concerning access by the European Parliament to sensitive information of the Council in the field of security and defence policy⁽³⁾ will apply.

(7) The High Representative, or his/her representative, should exercise the responsibilities provided for by the respective acts founding the European Defence Agency⁽⁴⁾, the European Union Satellite Centre⁽⁵⁾, the European Union Institute for Security Studies⁽⁶⁾, and the European Security and Defence College⁽⁷⁾. The EEAS should provide those entities with the support currently provided by the General Secretariat of the Council.

(8) Provisions should be adopted relating to the staff of the EEAS and their recruitment where such provisions are necessary to establish the organisation and functioning of the EEAS. In parallel, necessary amendments should be made, in accordance with Article 336 TFEU, to the Staff Regulations of Officials of the European Communities ('Staff Regulations') and the

(1) OJ C 46, 24.2.2006, p. 1.

(2) Communication from the Commission to the European Parliament and the Council – Towards a European Consensus on Humanitarian Aid (COM(2007) 317 final). Not published in the Official Journal.

(3) OJ C 298, 30.11.2002, p. 1.

(4) Council Joint Action 2004/551/CFSP of 12 July 2004 on the establishment of the European Defence Agency (OJ L 245, 17.7.2004, p. 17).

(5) Council Joint Action 2001/555/CFSP of 20 July 2001 on the establishment of a European Union Satellite Centre (OJ L 200, 25.7.2001, p. 5).

(6) Council Joint Action 2001/554/CFSP of 20 July 2001 on the establishment of a European Union Institute for Security Studies (OJ L 200, 25.7.2001, p. 1).

(7) Council Joint Action 2008/550/CFSP of 23 June 2008 establishing a European Security and Defence College (ESDC) (OJ L 176, 4.7.2008, p. 20).

Conditions of Employment of Other Servants of those Communities⁽⁸⁾ ('CEOS') without prejudice to Article 298 TFEU. For matters relating to its staff, the EEAS should be treated as an institution within the meaning of the Staff Regulations and the CEOS. The High Representative will be the Appointing Authority, in relation both to officials subject to the Staff Regulations and agents subject to the CEOS. The number of officials and servants of the EEAS will be decided each year as part of the budgetary procedure and will be reflected in the establishment plan.

(9) The staff of the EEAS should carry out their duties and conduct themselves solely with the interest of the Union in mind.

(10) Recruitment should be based on merit whilst ensuring adequate geographical and gender balance. The staff of the EEAS should comprise a meaningful presence of nationals from all the Member States. The review foreseen for 2013 should also cover this issue, including, as appropriate, suggestions for additional specific measures to correct possible imbalances.

(11) In accordance with Article 27(3) TEU, the EEAS will comprise officials from the General Secretariat of the Council and from the Commission, as well as personnel coming from the diplomatic services of the Member States. For that purpose, the relevant departments and functions in the General Secretariat of the Council and in the Commission will be transferred to the EEAS, together with officials and temporary agents occupying a post in such departments or functions. Before 1 July 2013, the EEAS will recruit exclusively officials originating from the General Secretariat of the Council and the Commission, as well as staff coming from the diplomatic services of the Member States. After that date, all officials and other servants of the European Union should be able to apply for vacant posts in the EEAS.

(12) The EEAS may, in specific cases, have recourse to specialised seconded national experts ('SNEs'), over whom the High Representative will have authority. SNEs in posts in the EEAS will not be counted in the one third of all EEAS staff at Administrator ('AD') level which staff from Member States should represent when the EEAS will have reached its full capacity. Their transfer in the phase of setting up of the EEAS will not be automatic and will be made with the consent of the authorities of the originating Member States. By the date of expiry of the contract of an SNE transferred to the EEAS under Article 7, the relevant function will be converted into a temporary agent post in cases where the function performed by the SNE corresponds to a function normally carried out by staff at AD level, provided that the necessary post is available under the establishment plan.

(13) The Commission and the EEAS will agree on detailed arrangements relating to the issuing of instructions from the Commission to delegations. These should provide in particular that when the Commission will issue instructions to delegations, it will simultaneously provide a copy thereof to the Head of Delegation and to the EEAS central administration.

(14) Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁹⁾ (the 'Financial Regulation') should be amended in order to include the EEAS in Article 1 thereof, with a specific section in the Union budget. In accordance with the applicable rules, and as is the case for other institutions, a part of the annual report of the Court of Auditors will also be dedicated to the EEAS, and the EEAS will respond to such reports. The EEAS will be subject to the procedures regarding the discharge as provided for in Article 319 TFEU and in Articles 145 to 147 of the Financial Regulation. The High Representative will provide the European Parliament with all

(8) Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (OJ 45, 14.6.1962, p. 1387/62. English special edition: Series I Chapter 1959-1962 p. 135).

(9) OJ L 248, 16.9.2002, p. 1.

necessary support for the exercise of the European Parliament's right as discharge authority. The implementation of the operational budget will be the Commission's responsibility in accordance with Article 317 TFEU. Decisions having a financial impact will, in particular, comply with the responsibilities laid down in Title IV of the Financial Regulation, especially Articles 64 to 68 thereof regarding liability of financial actors, and Article 75 thereof regarding expenditure operations.

(15) The establishment of the EEAS should be guided by the principle of cost-efficiency aiming towards budget neutrality. To this end, transitional arrangements and a gradual build-up of capacity will have to be used. Unnecessary duplication of tasks, functions and resources with other structures should be avoided. All opportunities for rationalisation should be availed of. In addition, a number of additional posts for Member States' temporary agents will be necessary, which will have to be financed within the framework of the current multiannual financial framework.

(16) Rules should be laid down covering the activities of the EEAS and its staff as regards security, the protection of classified information, and transparency.

(17) It is recalled that the Protocol on the Privileges and Immunities of the European Union will apply to the EEAS, its officials and other agents, who will be subject either to the Staff Regulations or the CEOs.

(18) The European Union and the European Atomic Energy Community continue to be served by a single institutional framework. It is therefore essential to ensure consistency between the external relations of both, and to allow the Union Delegations to undertake the representation of the European Atomic Energy Community in third countries and at international organisations.

(19) The High Representative should, by mid-2013, provide a review of the organisation and functioning of the EEAS, accompanied, if necessary, by proposals for a revision of this Decision. Such a revision should be adopted no later than the beginning of 2014,

HAS ADOPTED THIS DECISION:

Article 1

Nature and scope

1. This Decision establishes the organisation and functioning of the European External Action Service ('EEAS').
2. The EEAS, which has its headquarters in Brussels, shall be a functionally autonomous body of the European Union, separate from the General Secretariat of the Council and from the Commission with the legal capacity necessary to perform its tasks and attain its objectives.
3. The EEAS shall be placed under the authority of the High Representative of the Union for Foreign Affairs and Security Policy ('High Representative').
4. The EEAS shall be made up of a central administration and of the Union Delegations to third countries and to international organisations.

Article 2

Tasks

1. The EEAS shall support the High Representative in fulfilling his/her mandates as outlined, notably, in Articles 18 and 27 TEU:
 - in fulfilling his/her mandate to conduct the Common Foreign and Security Policy ('CFSP') of the European Union, including the Common Security and Defence Policy ('CSDP'), to contribute by his/her proposals to the development of that policy, which he/she shall carry

- out as mandated by the Council and to ensure the consistency of the Union's external action,
- in his/her capacity as President of the Foreign Affairs Council, without prejudice to the normal tasks of the General Secretariat of the Council,
 - in his/her capacity as Vice-President of the Commission for fulfilling within the Commission the responsibilities incumbent on it in external relations, and in coordinating other aspects of the Union's external action, without prejudice to the normal tasks of the services of the Commission.
2. The EEAS shall assist the President of the European Council, the President of the Commission, and the Commission in the exercise of their respective functions in the area of external relations.

Article 3

Cooperation

1. The EEAS shall support, and work in cooperation with, the diplomatic services of the Member States, as well as with the General Secretariat of the Council and the services of the Commission, in order to ensure consistency between the different areas of the Union's external action and between those areas and its other policies.
2. The EEAS and the services of the Commission shall consult each other on all matters relating to the external action of the Union in the exercise of their respective functions, except on matters covered by the CSDP. The EEAS shall take part in the preparatory work and procedures relating to acts to be prepared by the Commission in this area. This paragraph shall be implemented in accordance with Chapter 1 of Title V of the TEU, and with Article 205 TFEU.
3. The EEAS may enter into service-level arrangements with relevant services of the General Secretariat of the Council, the Commission, or other offices or interinstitutional bodies of the Union.
4. The EEAS shall extend appropriate support and cooperation to the other institutions and bodies of the Union, in particular to the European Parliament. The EEAS may also benefit from the support and cooperation of those institutions and bodies, including agencies, as appropriate. The EEAS internal auditor will cooperate with the internal auditor of the Commission to ensure a consistent audit policy, with particular reference to the Commission's responsibility for operational expenditure. In addition, the EEAS shall cooperate with the European Anti-Fraud Office ('OLAF') in accordance with Regulation (EC) No 1073/1999⁽¹⁰⁾. It shall, in particular, adopt without delay the decision required by that Regulation on the terms and conditions for internal investigations. As provided in that Regulation, both Member States, in accordance with national provisions, and the institutions shall give the necessary support to enable OLAF's agents to fulfil their tasks.

Article 4

Central administration of the EEAS

1. The EEAS shall be managed by an Executive Secretary-General who will operate under the authority of the High Representative. The Executive Secretary-General shall take all measures necessary to ensure the smooth functioning of the EEAS, including its administrative and budgetary management. The Executive Secretary-General shall ensure effective coordination between all departments in the central administration as well as with the Union Delegations.

⁽¹⁰⁾ Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF) (OJ L 136, 31.5.1999, p. 1).

2. The Executive Secretary-General shall be assisted by two Deputy Secretaries-General.
3. The central administration of the EEAS shall be organised in directorates-general.
- (a) It shall, in particular, include:
 - a number of directorates-general comprising geographic desks covering all countries and regions of the world, as well as multilateral and thematic desks. These departments shall coordinate as necessary with the General Secretariat of the Council and with the relevant services of the Commission,
 - a directorate-general for administrative, staffing, budgetary, security and communication and information system matters, working in the EEAS framework managed by the Executive Secretary-General. The High Representative shall appoint, in accordance with the normal rules of recruitment, a Director-General for budget and administration who shall work under the authority of the High Representative. He/she shall be responsible to the High Representative for the administrative and internal budgetary management of the EEAS. He/she shall follow the same budget lines and administrative rules as are applicable in the part of Section III of the Union's budget which falls under Heading 5 of the Multiannual Financial Framework,
 - the crisis management and planning directorate, the civilian planning and conduct capability, the European Union Military Staff and the European Union Situation Centre, placed under the direct authority and responsibility of the High Representative, and which shall assist him/her in the task of conducting the Union's CFSP in accordance with the provisions of the Treaty while respecting, in accordance with Article 40 TEU, the other competences of the Union.

The specificities of these structures, as well as the particularities of their functions, recruitment and the status of the staff shall be respected.

Full coordination between all the structures of the EEAS shall be ensured.

- (b) The central administration of the EEAS shall also include:
 - a strategic policy planning department,
 - shall work closely with the Legal Services of the Council and of the Commission,
 - departments for interinstitutional relations, information and public diplomacy, internal audit and inspections, and personal data protection.
4. The High Representative shall designate the chairpersons of Council preparatory bodies that are chaired by a representative of the High Representative, including the chair of the Political and Security Committee, in accordance with the detailed arrangements set out in Annex II to Council Decision 2009/908/EU of 1 December 2009 laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council, and on the chairmanship of preparatory bodies of the Council⁽¹¹⁾.
5. The High Representative and the EEAS shall be assisted where necessary by the General Secretariat of the Council and the relevant departments of the Commission. Service-level arrangements may be drawn up to that effect by the EEAS, the General Secretariat of the Council and the relevant Commission departments.

Article 5

Union delegations

1. The decision to open or close a delegation shall be adopted by the High Representative, in agreement with the Council and the Commission.

(11) OJ L 322, 9.12.2009, p. 28.

2. Each Union Delegation shall be placed under the authority of a Head of Delegation. The Head of Delegation shall have authority over all staff in the delegation, whatever their status, and for all its activities. He/she shall be accountable to the High Representative for the overall management of the work of the delegation and for ensuring the coordination of all actions of the Union.

Staff in delegations shall comprise EEAS staff and, where appropriate for the implementation of the Union budget and Union policies other than those under the remit of the EEAS, Commission staff.

3. The Head of Delegation shall receive instructions from the High Representative and the EEAS, and shall be responsible for their execution.

In areas where the Commission exercises the powers conferred upon it by the Treaties, the Commission may, in accordance with Article 221(2) TFEU, also issue instructions to delegations, which shall be executed under the overall responsibility of the Head of Delegation.

4. The Head of Delegation shall implement operational credits in relation to the Union's projects in the corresponding third country, where sub-delegated by the Commission, in accordance with the Financial Regulation.

5. The operation of each delegation shall be periodically evaluated by the Executive Secretary-General of the EEAS; evaluation shall include financial and administrative audits. For this purpose, the Executive Secretary-General of the EEAS may request assistance from the relevant Commission departments. In addition to internal measures by the EEAS, OLAF shall exercise its powers, notably by conducting anti-fraud measures, in accordance with Regulation (EC) No 1073/1999.

6. The High Representative shall enter into the necessary arrangements with the host country, the international organisation, or the third country concerned. In particular, the High Representative shall take the necessary measures to ensure that host States grant the Union delegations, their staff and their property, privileges and immunities equivalent to those referred to in the Vienna Convention on Diplomatic Relations of 18 April 1961.

7. Union delegations shall have the capacity to respond to the needs of other institutions of the Union, in particular the European Parliament, in their contacts with the international organisations or third countries to which the delegations are accredited.

8. The Head of Delegation shall have the power to represent the Union in the country where the delegation is accredited, in particular for the conclusion of contracts, and as a party to legal proceedings.

9. The Union delegations shall work in close cooperation and share information with the diplomatic services of the Member States.

10. The Union delegations shall, acting in accordance with the third paragraph of Article 35 TEU, and upon request by Member States, support the Member States in their diplomatic relations and in their role of providing consular protection to citizens of the Union in third countries on a resource-neutral basis.

Article 6

Staff

1. This Article, except paragraph 3, shall apply without prejudice to the Staff Regulations of Officials of the European Communities ('Staff Regulations') and the Conditions of Employment of Other Servants of those Communities ('CEOS'), including the amendments made to those rules, in accordance with Article 336 TFEU, in order to adapt them to the needs of the EEAS.

2. The EEAS shall comprise officials and other servants of the European Union, including personnel from the diplomatic services of the Member States appointed as temporary agents. The Staff Regulations and the CEOS shall apply to this staff.

3. If necessary, the EEAS may, in specific cases, have recourse to a limited number of specialised seconded national experts (SNEs).

The High Representative shall adopt rules, equivalent to those laid down in Council Decision 2003/479/EC of 16 June 2003 concerning the rules applicable to national experts and military staff on secondment to the General Secretariat of the Council⁽¹²⁾, under which SNEs are put at the disposal of the EEAS in order to provide specialised expertise.

4. The staff of the EEAS shall carry out their duties and conduct themselves solely with the interests of the Union in mind. Without prejudice to the third indent of Article 2(1) and Articles 2(2) and 5(3), they shall neither seek nor take instructions from any government, authority, organisation or person outside the EEAS or from any body or person other than the High Representative. In accordance with the second paragraph of Article 11 of the Staff Regulations, EEAS staff shall not accept any payments of any kind whatever from any other source outside the EEAS.

5. The powers conferred on the appointing authority by the Staff Regulations and on the authority authorised to conclude contracts by the CEOS shall be vested in the High Representative, who may delegate those powers inside the EEAS.

6. Recruitment to the EEAS shall be based on merit whilst ensuring adequate geographical and gender balance. The staff of the EEAS shall comprise a meaningful presence of nationals from all the Member States. The review provided for in Article 13(3) shall also cover this issue, including, as appropriate, suggestions for additional specific measures to correct possible imbalances.

7. Officials of the Union and temporary agents coming from the diplomatic services of the Member States shall have the same rights and obligations and be treated equally, in particular as concerns their eligibility to assume all positions under equivalent conditions. No distinction shall be made between temporary agents coming from national diplomatic services and officials of the Union as regards the assignment of duties to perform in all areas of activities and policies implemented by the EEAS. In accordance with the provisions of the Financial Regulation, the Member States shall support the Union in the enforcement of financial liabilities of EEAS temporary agents coming from the Member States' diplomatic services which result from a liability under Article 66 of the Financial Regulation.

8. The High Representative shall establish the selection procedures for EEAS staff, which shall be undertaken through a transparent procedure based on merit with the objective of securing the services of staff of the highest standard of ability, efficiency and integrity, while ensuring adequate geographical and gender balance, and a meaningful presence of nationals from all Member States in the EEAS. Representatives of the Member States, the General Secretariat of the Council and of the Commission shall be involved in the recruitment procedure for vacant posts in the EEAS.

9. When the EEAS has reached its full capacity, staff from Member States, as referred to in the first subparagraph of paragraph 2, should represent at least one third of all EEAS staff at AD level. Likewise, permanent officials of the Union should represent at least 60 % of all EEAS staff at AD level, including staff coming from the diplomatic services of the Member States who have become permanent officials of the Union in accordance with the provisions of the

(12) OJ L 160, 28.6.2003, p. 72.

Staff Regulations. Each year, the High Representative shall present a report to the European Parliament and the Council on the occupation of posts in the EEAS.

10. The High Representative shall lay down the rules on mobility so as to ensure that the members of the staff of the EEAS are subject to a high degree of mobility. Specific and detailed arrangements shall apply to the personnel referred to in the third indent of Article 4(3)(a). In principle, all EEAS staff shall periodically serve in Union delegations. The High Representative shall establish rules to that effect.

11. In accordance with the applicable provisions of its national law, each Member State shall provide its officials who have become temporary agents in the EEAS with a guarantee of immediate reinstatement at the end of their period of service to the EEAS. This period of service, in accordance with the provisions of Article 50b of the CEOS, shall not exceed eight years, unless, it is extended for a maximum period of two years in exceptional circumstances and in the interest of the service.

Officials of the Union serving in the EEAS shall have the right to apply for posts in their institution of origin on the same terms as internal applicants.

12. Steps shall be taken in order to provide EEAS staff with adequate common training, building in particular on existing practices and structures at national and Union level. The High Representative shall take appropriate measures to that effect within the year following the entry into force of this Decision.

Article 7

Transitional provisions regarding staff

1. The relevant departments and functions in the General Secretariat of the Council and in the Commission listed in the Annex shall be transferred to the EEAS. Officials and temporary agents occupying a post in departments or functions listed in the Annex shall be transferred to the EEAS. This shall apply mutatis mutandis to contract and local staff assigned to such departments and functions. SNEs working in those departments or functions shall also be transferred to the EEAS with the consent of the authorities of the originating Member State. These transfers shall take effect on 1 January 2011.

In accordance with the Staff Regulations, upon their transfer to the EEAS, the High Representative shall assign each official to a post in his/her function group which corresponds to that official's grade.

2. The procedures for recruiting staff for posts transferred to the EEAS which are ongoing at the date of entry into force of this Decision shall remain valid: they shall be carried on and completed under the authority of the High Representative in accordance with the relevant vacancy notices and the applicable rules of the Staff Regulations and the CEOS.

Article 8

Budget

1. The duties of authorising officer for the EEAS section of the general budget of the European Union shall be delegated in accordance with Article 59 of the Financial Regulation. The High Representative shall adopt the internal rules for the management of the administrative budget lines. Operational expenditure shall remain within the Commission section of the budget.

2. The EEAS shall exercise its powers in accordance with the Financial Regulation applicable to the general budget of the European Union within the limits of the appropriations allocated to it.

3. When drawing up estimates of administrative expenditure for the EEAS, the High Representative will hold consultations with, respectively, the Commissioner responsible for Development Policy and the Commissioner responsible for Neighbourhood Policy regarding their respective responsibilities.

4. In accordance with Article 314(1) TFEU, the EEAS shall draw up estimates of its expenditure for the following financial year. The Commission shall consolidate those estimates in a draft budget, which may contain different estimates. The Commission may amend the draft budget as provided for in Article 314(2) TFEU.

5. In order to ensure budgetary transparency in the area of external action of the Union, the Commission will transmit to the budgetary authority, together with the draft general budget of the European Union, a working document presenting, in a comprehensive way, all expenditure related to the external action of the Union.

6. The EEAS shall be subject to the procedures regarding the discharge provided for in Article 319 TFEU and in Articles 145 to 147 of the Financial Regulation. The EEAS will, in this context, fully cooperate with the institutions involved in the discharge procedure and provide, as appropriate, the additional necessary information, including through attendance at meetings of the relevant bodies.

Article 9

External action instruments and programming

1. The management of the Union's external cooperation programmes is under the responsibility of the Commission without prejudice to the respective roles of the Commission and of the EEAS in programming as set out in the following paragraphs.

2. The High Representative shall ensure overall political coordination of the Union's external action, ensuring the unity, consistency and effectiveness of the Union's external action, in particular through the following external assistance instruments:

- the Development Cooperation Instrument⁽¹³⁾,
- the European Development Fund⁽¹⁴⁾,
- the European Instrument for Democracy and Human Rights⁽¹⁵⁾,
- the European Neighbourhood and Partnership Instrument⁽¹⁶⁾,
- the Instrument for Cooperation with Industrialised Countries⁽¹⁷⁾,
- the Instrument for Nuclear Safety Cooperation⁽¹⁸⁾,
- the Instrument for Stability, regarding the assistance provided for in Article 4 of Regulation (EC) No 1717/2006⁽¹⁹⁾.

(13) Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation (OJ L 378, 27.12.2006, p. 41).

(14) Council Regulation No 5 laying down rules relating to calls for and transfers of financial contributions, budgetary arrangements and administration of the resources of the Development Fund for the Overseas Countries and Territories (OJ 33, 31.12.1958, p. 681/58).

(15) Regulation (EC) No 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide (OJ L 386, 29.12.2006, p. 1).

(16) Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument (OJ L 310, 9.11.2006, p. 1).

(17) Council Regulation (EC) No 382/2001 of 26 February 2001 concerning the implementation of projects promoting cooperation and commercial relations between the European Union and the industrialised countries of North America, the Far East and Australasia (OJ L 57, 27.2.2001, p. 10).

(18) Council Regulation (Euratom) No 300/2007 of 19 February 2007 establishing an Instrument for Nuclear Safety Cooperation (OJ L 81, 22.3.2007, p. 1).

(19) Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006 establishing an Instrument for Stability (OJ L 327, 24.11.2006, p. 1).

3. In particular, the EEAS shall contribute to the programming and management cycle for the instruments referred to in paragraph 2, on the basis of the policy objectives set out in those instruments. It shall have responsibility for preparing the following decisions of the Commission regarding the strategic, multiannual steps within the programming cycle:

- (i) country allocations to determine the global financial envelope for each region, subject to the indicative breakdown of the multiannual financial framework. Within each region, a proportion of funding will be reserved for regional programmes;
- (ii) country and regional strategic papers;
- (iii) national and regional indicative programmes.

In accordance with Article 3, throughout the whole cycle of programming, planning and implementation of the instruments referred to in paragraph 2, the High Representative and the EEAS shall work with the relevant members and services of the Commission without prejudice to Article 1(3). All proposals for decisions will be prepared by following the Commission's procedures and will be submitted to the Commission for adoption.

4. With regard to the European Development Fund and the Development Cooperation Instrument, any proposals, including those for changes in the basic regulations and the programming documents referred to in paragraph 3, shall be prepared jointly by the relevant services in the EEAS and in the Commission under the responsibility of the Commissioner responsible for Development Policy and shall be submitted jointly with the High Representative for adoption by the Commission.

Thematic programmes, other than the European Instrument for Democracy and Human Rights, the Instrument for Nuclear Safety Cooperation and that part of the Instrument for Stability referred to in the seventh indent of paragraph 2, shall be prepared by the appropriate Commission service under the guidance of the Commissioner responsible for Development Policy and presented to the College of Commissioners in agreement with the High Representative and the other relevant Commissioners.

5. With regard to the European Neighbourhood and Partnership Instrument, any proposals, including those for changes in the basic regulations and the programming documents referred to in paragraph 3, shall be prepared jointly by the relevant services in the EEAS and in the Commission under the responsibility of the Commissioner responsible for Neighbourhood Policy and shall be submitted jointly with the High Representative for adoption by the Commission.

6. Actions undertaken under: the CFSP budget; the Instrument for Stability other than the part referred to in the seventh indent of paragraph 2; the Instrument for Cooperation with Industrialised Countries; communication and public Diplomacy actions, and election observation missions, shall be under the responsibility of the High Representative/the EEAS. The Commission shall be responsible for their financial implementation under the authority of the High Representative in his/her capacity as Vice-President of the Commission. The Commission department responsible for this implementation shall be co-located with the EEAS.

Article 10

Security

1. The High Representative shall, after consulting the Committee referred to in point 3 of Section I of Part II of the Annex to Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations⁽²⁰⁾, decide on the security rules for the EEAS and take all appropriate measures in order to ensure that the EEAS manages effectively the risks to its staff,

(20) OJ L 101, 11.4.2001, p. 1.

physical assets and information, and that it fulfils its duty of care and responsibilities in this regard. Such rules shall apply to all EEAS staff, and all staff in Union Delegations, regardless of their administrative status or origin.

2. Pending the Decision referred to in paragraph 1:
 - with regard to the protection of classified information, the EEAS shall apply the security measures set out in the Annex to Decision 2001/264/EC,
 - with regard to other aspects of security, the EEAS shall apply the Commission's Provisions on Security, as set out in the relevant Annex to the Rules of Procedure of the Commission⁽²¹⁾.
3. The EEAS shall have a department responsible for security matters, which shall be assisted by the relevant services of the Member States.
4. The High Representative shall take any measure necessary in order to implement security rules in the EEAS, in particular as regards the protection of classified information and the measures to be taken in the event of a failure by EEAS staff to comply with the security rules. For that purpose, the EEAS shall seek advice from the Security Office of the General Secretariat of the Council, from the relevant services of the Commission and from the relevant services of the Member States.

Article 11

Access to documents, archives and data protection

1. The EEAS shall apply the rules laid down in Regulation (EC) 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents⁽²²⁾. The High Representative shall decide on the implementing rules for the EEAS.
2. The Executive Secretary-General of the EEAS shall organise the archives of the service. The relevant archives of the departments transferred from the General Secretariat of the Council and the Commission shall be transferred to the EEAS.
3. The EEAS shall protect individuals with regard to the processing of their personal data in accordance with the rules laid down in Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁽²³⁾. The High Representative shall decide on the implementing rules for the EEAS.

Article 12

Immovable property

1. The General Secretariat of the Council and the relevant Commission services shall take all necessary measures so that the transfers referred to in Article 7 can be accompanied by the transfers of the Council and Commission buildings necessary for the functioning of the EEAS.
2. The terms on which immovable property is made available to the EEAS central administration and to the Union Delegations shall be decided on jointly by the High Representative and the General Secretariat of the Council and the Commission, as appropriate.

(21) OJ L 308, 8.12.2000, p. 26.

(22) OJ L 145, 31.5.2001, p. 43.

(23) OJ L 8, 12.1.2001, p. 1.

*Article 13***Final and general provisions**

1. The High Representative, the Council, the Commission and the Member States shall be responsible for implementing this Decision and shall take all measures necessary in furtherance thereof.
2. The High Representative shall submit a report to the European Parliament, the Council and the Commission on the functioning of the EEAS by the end of 2011. That report shall, in particular, cover the implementation of Article 5(3) and (10) and Article 9.
3. By mid-2013, the High Representative shall provide a review of the organisation and functioning of the EEAS, which will cover inter alia the implementation of Article 6(6), (8) and (11). The review shall, if necessary, be accompanied by appropriate proposals for the revision of this Decision. In that case, the Council shall, in accordance with Article 27(3) TEU, revise this Decision in the light of the review by the beginning of 2014.
4. This Decision shall enter into force on the date of its adoption. The provisions on financial management and recruitment shall take effect once the necessary amendments to the Staff Regulations, the CEOS and the Financial Regulation, as well as the amending budget, have been adopted. To ensure a smooth transition, the High Representative, the General Secretariat of the Council and the Commission shall enter into the necessary arrangements, and they shall undertake consultations with the Member States.
5. Within one month after the entry into force of this Decision, the High Representative shall submit to the Commission an estimate of the revenue and expenditure of the EEAS, including an establishment plan, in order for the Commission to present a draft amending budget.
6. This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 26 July 2010.

For the Council
The President
S. Vanackere

ANNEX – Departments and functions to be transferred to the EEAS⁽²⁴⁾

The following is a list of all the administrative entities to be transferred en bloc to the EEAS. This prejudices neither the additional needs and the allocation of resources to be determined in the overall budget negotiations establishing the EEAS, nor decisions on the provision of adequate staff responsible for support functions, nor the linked need for service-level arrangements between the General Secretariat of the Council and the Commission and the EEAS.

1. GENERAL SECRETARIAT OF THE COUNCIL

All staff in the departments and functions listed below shall be transferred en bloc to the EEAS, except for a very limited number of staff to perform the normal tasks of the General Secretariat of the Council in line with the second indent of Article 2(1), and except for certain specific functions which are indicated below:

Policy Unit

CSDP and crisis management structures

- Crisis Management and Planning Directorate (CMPD)
- Civilian Planning and Conduct Capability (CPCC)
- European Union Military Staff (EUMS)
- Departments under the direct authority of DGEUMS
- Concepts and Capability Directorate
- Intelligence Directorate
- Operations Directorate
- Logistics Directorate
- Communications and Information Systems Directorate
- EU Situation Centre (SITCEN)

Exception:

- Staff in the SITCEN supporting the Security Accreditation Authority

Directorate-General E

- Entities placed under the direct authority of the Director-General
- Directorate for the Americas and the United Nations
- Directorate for the Western Balkans, Eastern Europe and Central Asia
- Directorate for Non-Proliferation of Weapons of Mass Destruction
- Directorate for Parliamentary Affairs in the area of CFSP
- New York Liaison Office
- Geneva Liaison Office

Officials of the General Secretariat of the Council on secondment to European Union Special Representatives and CSDP missions

⁽²⁴⁾ The human resources to be transferred are all financed from the expenditure heading 5 (Administration) of the multiannual financial framework.

2. COMMISSION (INCLUDING DELEGATIONS)

All staff in the departments and functions listed below shall be transferred en bloc to the EEAS, except for a limited number of staff mentioned below as exceptions.

Directorate-General for External Relations

- All hierarchy posts and support staff directly attached to them
- Directorate A (Crisis Platform and Policy Coordination in CFSP)
- Directorate B (Multilateral Relations and Human Rights)
- Directorate C (North America, East Asia, Australia, New Zealand, EEA, EFTA, San Marino, Andorra, Monaco)
- Directorate D (European Neighbourhood Policy Coordination)
- Directorate E (Eastern Europe, Southern Caucasus, Central Asia Republics)
- Directorate F (Middle East, South Mediterranean)
- Directorate G (Latin America)
- Directorate H (Asia, except Japan and Korea)
- Directorate I (Headquarters resources, information, interinstitutional relations)
- Directorate K (External Service)
- Directorate L (Strategy, Coordination and Analysis)
- Task Force on the Eastern Partnership
- Unit Relex-01 (Audit)

Exceptions:

- Staff responsible for the management of financial instruments
- Staff responsible for the payment of salaries and allowances to staff in delegations

External Service

- All Heads of Delegation and Deputy Heads of Delegation and support staff directly attached to them
- All political sections or cells and staff
- All information and public diplomacy sections and staff
- All administration sections

Exceptions:

- Staff responsible for the implementation of financial instruments

Directorate-General for Development

- Directorate D (ACP II – West and Central Africa, Caribbean and OCT) except OCT task force
- Directorate E (Horn of Africa, East and Southern Africa, Indian Ocean and Pacific)
- Unit CI (ACP I: Aid programming and management): Staff responsible for programming
- Unit C2 (Pan-African issues and institutions, governance and migration): Staff responsible for Pan-African relations
- Applicable hierarchy posts and support staff directly attached to them.

Foreign Affairs Council

Brussels, 26 July 2010

Sudan

The Council held a broad strategic discussion on the European Union's relations with Sudan, following the general elections in April and ahead of the referendum on South Sudan's self-determination in January. It adopted the following conclusions.

1. The Council recognises the enormous challenges facing Sudan over the forthcoming months while noting the opportunities that exist for securing lasting peace and stability for the Sudanese people. In the context of this critical period, during the final stages of the Comprehensive Peace Agreement (CPA), the Council underlines the EU's readiness to support:

- the upcoming referenda processes in South Sudan and Abyei through substantial technical and financial assistance,
- peaceful implementation of the CPA, reaching an agreement on post-referendum issues and working towards long term regional stability,
- the work of the African Union High Level Implementation Panel,
- capacity building and assistance to meet the challenges faced by South Sudan,
- efforts to address insecurity and reach a lasting peace settlement for Darfur,
- the work of the International Criminal Court,
- continued development and humanitarian assistance across Sudan.

The EU reiterates its commitment to coordinate closely with the Sudanese parties, the African Union (AU), the United Nations (UN), IGAD, the United States and other national, regional and international partners.

2. The Council reiterates its strong support to the full and timely implementation of the CPA, including the holding of the referenda on Abyei and on self determination in South Sudan in January 2011. The Council expresses concern over the delays and urges the Sudanese parties to make progress in key areas of CPA implementation such as the finalisation of the border demarcation and the organisation of the Abyei referendum. The Council calls upon the Sudanese authorities to continue the preparations for credible and inclusive popular consultations in Southern Kordofan and Blue Nile.

3. Ensuring peaceful and constructive relations between the parties irrespective of the outcome of the referendum is of crucial importance for the people of Sudan and the wider region. The Council welcomes the recent formal launch of the negotiations on post-referendum issues, engaging the main parties in Khartoum and Juba and calls on all parties to strive for inclusiveness in this process. The Council stresses the importance of reaching agreement before the referendum on South Sudan's self determination. It supports the AU High Level Implementation Panel for Sudan under the aegis of former President Thabo Mbeki. In that vein

the Consultative Forum for Sudan plays a crucial role in supporting the efforts of the Sudanese parties to fulfil their commitments. In addition, the Council stresses the important role of the Assessment and Evaluation Commission.

4. The Council welcomes the establishment of the South Sudan referendum commission in view of preparing the referendum in South Sudan and urges all actors to expedite further preparatory work in particular with regard to voter registration. The EU remains fully engaged in supporting the preparations of the referendum, notably in close collaboration with UNMIS (United Nations Mission in Sudan). The Council underlines the importance of transparent and credible referenda which clearly reflect the will of the people and whose outcomes are accepted by all.

5. The Council expresses its readiness to send an EU Election Observer Mission to Sudan on time to observe all steps of the referendum process, including voter registration, and looks forward to receiving an early invitation from the Sudanese authorities. It recalls the recommendations made by the EU Election Observer Mission in the follow-up to the Sudanese elections in April 2010 whose central aspects should be taken into account when preparing for the referendum. This includes in particular the necessary improvements regarding voter registration, the neutrality of security services and armed forces, freedom of media and respect of Human Rights and regarding the transparency of the overall process.

6. The Council recognises that South Sudan faces significant development challenges regardless of the outcome of the referendum. The Council urges the Government of South Sudan to actively consider how it will address these challenges, notably those related to governance, rule of law, capacity building and the capability to deliver basic social services. The EU is strongly committed – through Union instruments and bilateral cooperation by Member States – to support the Government of South Sudan in addressing these issues. The EU also remains committed to intensive political dialogue with the Government of Sudan in Khartoum on issues of mutual concern.

7. The Council expresses concern about a pattern of increasing political repression and the deteriorating environment for civil and political rights in all areas of Sudan. It is, in this respect, deeply concerned about the recent closure of newspapers and the arrests of a number of journalists. It remains greatly concerned about the overall human rights situation in Sudan, particularly as regards Human Rights Defenders. Specific attention should be paid to the protection of children affected by armed conflict.

8. The Council calls on all parties to end hostilities in Darfur and is increasingly concerned about the deteriorating security and humanitarian situation. Attacks on civilians and on United Nations - African Union Mission in Darfur (UNAMID) constitute a war crime. The increasing cases of abductions of humanitarian aid workers, both Sudanese and international staff, are unacceptable. The Council emphasises the particular responsibility of the Government of Sudan to take effective action against perpetrators and to bring an end to impunity. The Council calls upon all parties including the Government of Sudan to allow urgent, unimpeded access to all populations in need of humanitarian assistance. The Council supports the important role of UNAMID in Darfur, reaffirms the priorities of protecting civilians and enabling humanitarian access and calls on the Government of Sudan to remove all obstacles to UNAMID's full and proper discharge of its mandate.

9. The Council calls for increased international efforts in support of the ongoing AU/UN initiatives towards an inclusive political solution in Darfur, addressing the root causes of the conflict, ensuring the protection and promotion of human rights, justice and reconciliation and adequate participation of civil society. It expresses support for the AU/UN Mediation and

welcomes its achievements so far, including efforts for increased participation of Darfurians, especially women, civil society organisations and internally displaced persons and refugees, in the peace process.

10. The Council welcomes the signing of a framework agreement between the Government of Sudan and the Liberation and Justice Movement towards a global peace agreement, calls on other rebel groups to join the negotiations and stresses the need for an all inclusive process that would lead to the conclusion of a comprehensive peace agreement for Darfur.

11. The EU remains committed to responding to the humanitarian needs in all parts of Sudan. Moreover, the Council recalls its decision on mobilizing decommitted funds from the 9th EDF (EUR 150 million) to address the needs of the most vulnerable populations in Sudan, in particular in the war-affected areas, including the South of Sudan and Darfur, in the border regions between North and South Sudan (the Three Areas) and in East Sudan. The funding complements ongoing development and humanitarian programmes in Sudan, including over EUR 500 million in development assistance committed since 2005 and over EUR 750 million in humanitarian assistance since 2003. In addition, support is provided under the Instrument for Stability (EUR 15 million) for the provision of basic services in South Sudan and the referendum process.

12. The Council recognizes the regional complexity and the internal and cross-border implications of conflicts, as well as the challenges related to the Nile water resource issue. The EU will ensure enhanced diplomatic efforts with the AU, League of Arab States (LAS), IGAD and the East African Community (EAC) to foster regional integration.

13. The Council recalls that war crimes, crimes against humanity and crimes of genocide are the most serious crimes of concern to the international community and that impunity for these crimes can never be accepted. The Council reiterates its support for the International Criminal Court (ICC) and calls upon the Government of Sudan to cooperate fully with the ICC in accordance with its obligations under international law.

Iran

The Council discussed the Iranian nuclear programme today and adopted a set of restrictive measures against Iran in response to the European Council's request of 17 June 2010 and in pursuit of UN Security Council Resolution 1929 (2010) imposing a fourth round of sanctions.

The Council adopted conclusions, along with a Decision on a package of restrictive measures to be imposed on Iran in the areas of trade, financial services, energy and transport and also a Regulation extending the list of entities and individuals subject to an assets freeze.

Iran's nuclear programme – Council conclusions

'The Council recalls that the European Council has repeatedly underlined its deepening concerns about Iran's nuclear programme and in that regard, welcomed the adoption of UN Security Council Resolution 1929 introducing new restrictive measures against Iran.

In accordance with the European Council Declaration of 17 June, the Council has today adopted a Decision implementing the measures contained in UN Security Council Resolution 1929 as well as accompanying measures, with a view to supporting the resolution of all outstanding concerns regarding Iran's development of sensitive technologies in support of its nuclear and missile programmes, through negotiation.

The Council notes that the Council Decision provides a comprehensive and robust package of measures in the areas of trade, financial services, energy, transport as well as additional designations for visa ban and asset freeze, in particular for Iranian banks, the Islamic Revolutionary Guard Corps (IRGC) and the Islamic Republic of Iran Shipping Lines (IRISL). These measures correspond to the areas identified by the European Council in June.

The Council again reaffirms the longstanding commitment of the European Union to work for a diplomatic solution of the Iranian nuclear issue. The Council welcomes and fully supports the efforts of the EU High Representative for Foreign Affairs and Security Policy to resume talks in this regard. The Council calls on Iran to seize this opportunity to allay the concerns of the international community about its nuclear programme and agree on a concrete date for talks with the EU High Representative, together with the six countries.

The Council reaffirms the validity of the June 2008 proposals made to Iran. The aim of the EU is to achieve a comprehensive and long-term settlement which would rebuild international confidence in the exclusively peaceful nature of Iran's nuclear programme, while respecting Iran's legitimate rights to the peaceful uses of nuclear energy under the NPT. The Council recalls that the EU's objective remains to engage in meaningful negotiations about the Iranian nuclear programme and other issues of mutual concern with the ultimate goal of establishing a comprehensive relationship between the EU and Iran, involving cooperation in all fields (economic, nuclear energy for peaceful purposes, political and security) and benefiting both sides.'

Gaza / Middle East Peace Process

The High Representative briefed the Council on her recent trip to the Middle East and in particular on her visit to Gaza. The Council underlined the urgent need for a lasting solution to the situation in Gaza and for the revival of its economy. It called for the immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza. It discussed the possible role the EU could play in contributing to improved access.

The High Representative, in a statement to the press on behalf of the Council, reiterated the EU's call for the proximity talks to lead as swiftly as possible to the resumption of direct peace talks leading to a settlement on the basis of a two-state solution negotiated between the parties within 24 months. She urged the parties to find a satisfactory way of addressing all the final status issues, reaffirmed the EU's commitment to its position on the Middle East Peace Process set out in the December 2009 Council conclusions, urged the Israeli government to end all settlement activities, appealed to both sides to avoid any provocative actions and called for the immediate release of Gilad Shalit.

Western Balkans

Ministers discussed the Western Balkans during their working lunch. They recalled the EU's unequivocal commitment to the European perspective of the Western Balkan countries in line with the Thessaloniki Agenda. They held an exchange of views on the situation in Bosnia and Herzegovina, on the basis of input from the High Representative and Enlargement and European

Neighbourhood Commissioner Stefan Füle. They discussed the need to recreate momentum for change in Bosnia and Herzegovina after the elections in October, with a stronger EU presence to use the EU perspective for BiH as a driver for change.

During lunch, ministers also discussed the situation in Kosovo and Kosovo's future path towards EU integration, following the publication of the advisory opinion of the International Court of Justice on 22 July. They discussed the way forward and stressed that the opinion opened a new phase and that the focus should now be on the future. They reiterated the readiness of the EU to facilitate a process of dialogue between Pristina and Belgrade. This dialogue would be to promote cooperation, achieve progress on the path to Europe and improve the lives of the people.

(...)

EU monitoring mission in Georgia

The Council adopted a decision amending joint action 2008/736 on the EU monitoring mission in Georgia (EUMM Georgia), increasing the financial reference amount by EUR 2.5 million in order to allow for additional operational needs of the mission (11116/10).

CHAPTER 61

WMD – Council Decision

Brussels, 26 July 2010

Council decision 2010/430/CFSP of 26 July 2010 establishing a European network of independent non-proliferation think tanks in support of the implementation of the EU strategy against proliferation of weapons of mass destruction

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 26(2) and 31(1) thereof,

Whereas:

(1) On 12 December 2003, the European Council adopted the EU Strategy against Proliferation of Weapons of Mass Destruction (hereinafter referred to as the 'EU WMD Strategy'), Chapter III of which contains a list of measures that need to be taken both within the Union and in third countries to combat such proliferation.

(2) The Union is actively implementing the EU WMD Strategy and giving effect to the measures listed in Chapter III thereof, such as developing the necessary structures within the Union.

(3) On 8 December 2008, the Council adopted its conclusions and a document 'New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems' (hereinafter referred to as the 'New Lines for Action') which states that proliferation of WMD continues to constitute one of the greatest security challenges and that non-proliferation policy constitutes an essential part of the Common Foreign and Security Policy.

(4) In the New Lines for Action, the Council calls on competent Council formations and bodies, the Commission, other institutions, and Member States, to give a concrete follow-up to that document with a view to achieving its objectives by the end of 2010.

(5) In the New Lines for Action, the Council underlines that action of the Union to prevent proliferation could benefit from the support provided by a non-governmental non-proliferation network, bringing together foreign policy institutions and research centres specialising in the Union's strategic areas while building on useful networks which already exist. Such a network

could be extended to institutions in third countries with which the Union is conducting specific dialogues in connection with non-proliferation.

(6) On 15-16 December 2005, the European Council adopted the EU Strategy to combat the illicit accumulation and trafficking of small arms and light weapons (SALW) and their ammunition (hereinafter referred to as the 'EU SALW Strategy') which sets the guidelines for the action of the Union in the field of SALW. The EU SALW Strategy considers that the illicit accumulation and trafficking of SALW and their ammunition pose a serious threat to international peace and security.

(7) The EU SALW Strategy identifies among its objectives the need to foster effective multilateralism so as to forge mechanisms, whether international, regional or within the Union and its Member States, for countering the supply and destabilising spread of SALW and their ammunition,

HAS ADOPTED THIS DECISION:

Article 1

1. For the purposes of contributing to the enhanced implementation of the EU WMD Strategy, which is based on the principles of effective multilateralism, prevention and cooperation with third countries, a European network of independent non-proliferation think tanks is hereby established to further the following objectives:

- (a) to encourage political and security-related dialogue and long-term discussion of measures to combat the proliferation of WMD and their delivery systems within civil societies, and more particularly among experts, researchers and academics;
- (b) to provide those participating in the relevant preparatory bodies of the Council with the opportunity to consult the network on issues related to non-proliferation and to enable the representatives of Member States to participate in the network's meetings chaired by the representative of the High Representative of the Union for Foreign Affairs and Security Policy (HR);
- (c) to constitute a useful stepping stone for non-proliferation action by the Union and the international community, in particular by providing a report and/or recommendations to the representative of the HR;
- (d) to contribute to enhancing awareness of third countries of proliferation challenges and of the need to work in cooperation with the Union and in the context of multilateral fora, in particular the United Nations, to prevent, deter, halt and where possible, eliminate proliferation programmes of concern worldwide.

2. In the light of the EU SALW Strategy, the scope of activities of the proposed European network of independent non-proliferation think tanks shall not be limited to addressing questions related to the threats posed by the proliferation of WMD, but shall also cover issues related to conventional weapons, including SALW. The inclusion of conventional weapons issues in the field of activity of the network will offer an outstanding tool for dialogue and recommendation on action of the Union in this area within the framework of the implementation of the EU SALW Strategy and the Union's policy on conventional weapons.

3. In this context, the projects to be supported by the Union shall cover the following specific activities:

- (a) providing means for the organisation of a kick-off meeting and an annual conference with a view to submitting a report and/or recommendations to the representative of the HR;
- (b) providing financial and technical means for the creation of an Internet platform to facilitate contacts and foster research dialogue among the network of think tanks analysing WMD and conventional weapons-related issues, including SALW.

A detailed description of the projects is set out in the Annex.

Article 2

1. The HR shall be responsible for the implementation of this Decision.
2. Technical implementation of the projects referred to in Article 1(3) shall be carried out by the EU Non-Proliferation Consortium based on la Fondation pour la Recherche Stratégique (FRS), the Peace Research Institute Frankfurt (HSFK/ PRIF), the International Institute for Strategic Studies (IISS) and the Stockholm International Peace Research Institute (SIPRI). The EU Non-Proliferation Consortium shall perform this task under the responsibility of the HR. For this purpose, the HR shall enter into the necessary arrangements with the consortium.

Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(3) shall be EUR 2 182 000.
2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.
3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 1. For this purpose, it shall conclude a financing agreement with the EU Non-Proliferation Consortium. The agreement shall stipulate that the consortium is to ensure visibility of the EU contribution, appropriate to its size.
4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the agreement.

Article 4

1. The HR shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the EU Non-Proliferation Consortium. Those reports shall form the basis for the evaluation carried out by the Council.
2. The Commission shall report on the financial aspects of the projects referred to in Article 1(3).

Article 5

1. This Decision shall enter into force on the day of its adoption.
2. This Decision shall expire 36 months after the date of the conclusion of the financing agreement referred to in Article 3(3).
However, it shall expire 6 months after its entry into force if that financing agreement has not been concluded by that time.

Done at Brussels, 26 July 2010.

For the Council

The President

S. Vanackere

(..)

CHAPTER 62

Catherine Ashton – 'Improving unity among EU states key to maximising our political weight'

29 July 2010

Let me start with a confession. The European Union's critics are sometimes right. The EU can be slow, cumbersome and bureaucratic. I want to help to put that right in the way the EU works with the rest of the world.

Our project has an ungainly name, the European External Action Service (EAS), but a bold and simple purpose: to give the EU a stronger voice around the world, and greater impact on the ground.

In my first six months as high representative, I have seen for myself what the EU can do when we pull together: in Gaza, where EU-funded schools are giving an education and dignity to hundreds of girls and boys and where we are ready to do more to help end the blockade; in Haiti, where we are giving shelter to the homeless, and helping the government with its strategy for long-term reconstruction; in the Balkans, where we are promoting political and economic reforms and preparing the region's countries to join the EU; and in East Africa, where our naval operation is deterring and capturing pirates while working on-shore to help bring stability to Somalia and development to the region.

We do a lot to promote security, protect the vulnerable and root out poverty. But too much depends on ad-hoc arrangements and the creativity of individuals. We achieve comprehensive strategies despite our structures, not because of them.

Until now, EU work around the world was divided among different bureaucracies, each with their own leaders and procedures. Too often, good people have been hampered by poor systems.

That is why it matters that the 27 member states of the European Union, each with a proud history in foreign affairs, have given their backing to the creation of a unified EAS, following the earlier endorsement by the European Parliament and the European Commission.

It is not easy to get the EU's three main institutions to agree. All the more so when it comes to setting up a new structure and moving people into new roles, adjusting budgets, and changing the way we prepare and take decisions.

Usually in the EU, institutional change of this order only happens once every 25 years or so.

But the real significance of this move lies outside Brussels. Our aim is to do foreign policy in a modern way, differently and better. Not to compete with or duplicate what our member states are doing but to add value and play to our strength of acting as a union.

That is how we can best make a difference on the ground and, over time, enhance global security and stability.

In particular, we need to tackle the two main areas where we are under-performing.

Firstly, we must achieve better unity among EU member states in order to bring our combined political weight to bear.

Secondly, we must develop more integrated strategies so that we are more effective on the ground.

If we can do both, Europe will be able to play its full part in addressing the many challenges that affect global security and prosperity.

The key word here is global. We live in a world where challenges and change are global in nature, as are their consequences. Terrorism, organised crime and the proliferation of weapons; energy security, climate change and the competition for natural resources; trade, investment and financial flows: these are all global phenomena. All of them also happen to be complex and interlinked.

To respond to challenges which are global and complex, only integrated strategies will suffice.

The value of the EAS will lie in bringing together the many levers of influence that the European Union has economic, political, and civil and military crisis management tools in support of a single political strategy. More than any other actor in the world today, the EU will be able to mobilise such a wide range of instruments, with the weight and legitimacy of 27 democratic countries behind it.

In today's world, there is no surplus of European power and no shortage of complex problems. The EAS can make a positive difference and I am determined that it will.

The Irish Times

CHAPTER 63

Cluster munitions – Declaration by Catherine Ashton

Brussels, 1 August 2010

Declaration by HR Catherine Ashton on behalf of the European Union on the Convention on cluster munitions

On August 1st, the Convention on Cluster Munitions enters into force. 37 States have already ratified this treaty while 107 States have signed it. Continued efforts are needed to increase the number of ratifications. Universalisation and full implementation of the Treaties and Conventions in the multilateral system are at the heart of EU actions in the area of non proliferation and disarmament.

The EU is deeply concerned with the tremendous humanitarian, socio-economic and development challenges still posed by the use of cluster munitions.

In supporting the overall goal of the Convention, the EU puts specific emphasis on the thematic objectives of reducing the cluster munitions threat, alleviating victim suffering, providing socio-economic reintegration, and enhancing local and regional capacities.

The EU already includes Explosive Remnants of War (ERW) activities as a part of European mine clearance action, risk education and victim assistance.

As the Convention on Cluster Munitions emphasizes the victim assistance measures, the EU reaffirms its commitment to strengthening care, rehabilitation and social and economic reintegration of explosion victims. The EU also supports the view that such assistance should be integrated in broader public health and socio-economic strategies.

CHAPTER 64

EU SSR Guinea-Bissau – Council Decision

Brussels, 2 August 2010

The EU SSR Guinea-Bissau Mission completes its mandate

The EU's security sector reform mission in Guinea-Bissau (EU SSR Guinea-Bissau), having completed its mandate, will close down on 30 September 2010.

Launched in June 2008, the mission has provided advice and assistance to the local authorities on security sector reform (SSR) in Guinea-Bissau. The mission, which was conducted under the Common Security and Defence Policy (CSDP), notably assisted Guinea-Bissau in developing a complete package of basic laws and some secondary legislation. The Guinea-Bissau authorities now have a solid legal framework to start implementing the national SSR strategy, restructure the Armed Forces and establish new police bodies. Specific projects have also been prepared, in cooperation with the European Commission and other international stakeholders, and are now ready to be presented to international donors for funding.

Although the mission has achieved significant results, political instability and the lack of respect for the rule of law in the country make it impossible for the EU to deploy a follow-up mission, as originally foreseen, without compromising its own principles.

Following the mutiny of April 2010, the EU repeatedly expressed its concern regarding the violation of constitutional order, illegal detention of civilian and military leaders and impunity of perpetrators. The EU intensified its political dialogue with the Guinea-Bissau authorities and asked for clear signs of commitment to the principles of the rule of law. The recent nomination of General Antonio Indjai to the post of Chief of Defence Staff constitutes another setback to the process of democratic consolidation and confirms that the conditions for deployment of the new mission are not met.

The EU remains firmly committed to security, stability and peace in Guinea-Bissau. It will join forces with other stakeholders, notably with the Economic Community of West African States (ECOWAS) and the UN, and continue to accompany security sector reform with an appropriate set of instruments, on the basis of national ownership and accountability. Nevertheless, the EU is convinced that its support to Guinea Bissau must be matched by an unequivocal commitment on the part of the national authorities to a real respect of democratic principles, human rights and the rule of law.

EUMM Georgia – Council Decision

Brussels, 12 August 2010

Council decision 2010/452/CFSP on the European Union monitoring mission in Georgia, EUMM Georgia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28 and 43(2) thereof,

Whereas:

(1) On 15 September 2008, the Council adopted Joint Action 2008/736/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia⁽¹⁾ (hereinafter the Mission). That Joint Action expires on 14 September 2010.

(2) On 28 May 2010 the Political and Security Committee (PSC) recommended to extend the Mission for an additional period of 12 months until 14 September 2011.

(3) The command and control structure of the Mission should be without prejudice to the contractual responsibility of the Head of Mission towards the Commission for implementing the budget of the Mission.

(4) The Watch-keeping capability established within the General Secretariat of the Council should be activated for this Mission.

(5) The Mission will be conducted in the context of a situation which may deteriorate and could harm the objectives of the Common Foreign and Security Policy as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The Mission

1. The European Union Monitoring Mission in Georgia (here-in after 'EUMM Georgia' or the 'Mission'), established by Joint Action 2008/736/CFSP, shall be extended as from 15 September 2010 until 14 September 2011.

(1) OJ L 248, 17.9.2008, p. 26.

2. EUMM Georgia shall operate in accordance with the mission statement as set out in Article 2 and shall carry out the tasks as set out in Article 3.

Article 2

Mission statement

1. EUMM Georgia shall provide civilian monitoring of Parties' actions, including full compliance with the six-point Agreement and subsequent implementing measures throughout Georgia, working in close coordination with partners, particularly the United Nations (UN) and the Organisation for Security and Cooperation in Europe (OSCE), and consistent with other Union activity, in order to contribute to stabilisation, normalisation and confidence building whilst also contributing to informing European policy in support of a durable political solution for Georgia.
2. The particular objectives of the Mission shall be:
 - (a) to contribute to long-term stability throughout Georgia and the surrounding region;
 - (b) in the short term, the stabilisation of the situation with a reduced risk of a resumption of hostilities, in full compliance with the six-point Agreement and the subsequent implementing measures.

Article 3

Mission tasks

In order to achieve the Mission, the tasks of EUMM Georgia shall be to:

1. Stabilisation:

Monitor, analyse and report on the situation pertaining to the stabilisation process, centred on full compliance with the six-point Agreement, including troop withdrawals, and on freedom of movement and actions by spoilers, as well as on violations of human rights and international humanitarian law.

2. Normalisation:

Monitor, analyse and report on the situation pertaining to the normalisation process of civil governance, focusing on rule of law, effective law enforcement structures and adequate public order. The Mission shall also monitor the security of transport links, energy infrastructures and utilities, as well as the political and security aspects of the return of internally displaced persons and refugees.

3. Confidence building:

Contribute to the reduction of tensions through liaison, facilitation of contacts between parties and other confidence building measures.

4. Contribute to informing European policy and to future Union engagement.

Article 4

Structure of the Mission

1. EUMM Georgia shall be structured as follows:
 - (a) Headquarters (HQ). The HQ shall consist of the Office of the Head of Mission and the HQ Staff, providing all necessary functions of command and control and mission support. The HQ shall be located in Tbilisi.
 - (b) Field Offices. Geographically distributed Field Offices shall conduct monitoring tasks and provide necessary functions of mission support.
 - (c) Support Element. The Support Element shall be located within the General Secretariat of the Council in Brussels.

2. The elements set out in paragraph 1 shall be subject to further detailed arrangements in the Operation Plan (OPLAN).

Article 5

Civilian Operation Commander

1. The Civilian Planning and Conduct Capability (CPCC) Director shall be the Civilian Operation Commander for EUMM Georgia.

2. The Civilian Operation Commander, under the political control and strategic direction of the Political and Security Committee (PSC) and the overall authority of the High Representative of the Union for Foreign Affairs and Security Policy (HR), shall exercise command and control of EUMM Georgia at the strategic level.

3. The Civilian Operation Commander shall ensure proper and effective implementation of the Council's decisions as well as the PSC's decisions, including by issuing instructions at the strategic level as required to the Head of Mission and providing him with advice and technical support.

4. All seconded staff shall remain under the full command of the national authorities of the seconding State or Union institution concerned. National authorities shall transfer Operational Control (OPCON) of their personnel, teams and units to the Civilian Operation Commander.

5. The Civilian Operation Commander shall have overall responsibility for ensuring that the Union's duty of care is properly discharged.

6. The Civilian Operation Commander and the European Union Special Representative (EUSR) shall consult each other as required.

Article 6

Head of Mission

1. The Head of Mission shall assume responsibility for and exercise command and control of the Mission at theatre level.

2. The Head of Mission shall exercise command and control over personnel, teams and units from contributing States as assigned by the Civilian Operation Commander together with administrative and logistic responsibility including over assets, resources and information placed at the disposal of the Mission.

3. The Head of Mission shall issue instructions to all Mission staff, including in this case the support element in Brussels, for the effective conduct of EUMM Georgia in theatre, assuming its coordination and day-to-day management, and following the instructions at the strategic level of the Civilian Operation Commander.

4. The Head of Mission shall be responsible for the implementation of the Mission's budget. For this purpose, the Head of Mission shall sign a contract with the Commission.

5. The Head of Mission shall be responsible for disciplinary control over the staff. For seconded staff, disciplinary action shall be exercised by the national authority or Union institution concerned.

6. The Head of Mission shall represent EUMM Georgia in the operations area and shall ensure appropriate visibility of the Mission.

7. The Head of Mission shall coordinate, as appropriate, with other Union actors on the ground. The Head of Mission shall, without prejudice to the chain of command, receive local political guidance from the EUSR.

*Article 7***Staff**

1. EUMM Georgia shall consist primarily of staff seconded by Member States or Union institutions. Each Member State or Union institution shall bear the costs related to any of the staff seconded by it, including travel expenses to and from the place of deployment, salaries, medical coverage and allowances other than applicable daily allowances, as well as hardship and risk allowances.

2. International civilian staff and local staff shall be recruited on a contractual basis by the Mission if the functions required are not provided by personnel seconded by Member States. Exceptionally, in duly justified cases, where no qualified applications from Member States are available, nationals from participating third States may be recruited on a contractual basis, as appropriate.

3. All staff shall abide by the Mission-specific minimum security operating standards and the Mission security plan supporting the Union's field security policy. As regards the protection of EU classified information with which staff are entrusted in the course of their duties, all staff shall respect the security principles and minimum standards established by the Council's security regulations⁽²⁾.

*Article 8***Status of Mission and staff**

1. The status of the Mission and its staff, including where appropriate the privileges, immunities and further guarantees necessary for the completion and smooth functioning of the Mission, shall be agreed in accordance with the procedure laid down in Article 37 of the Treaty.

2. The State or Union institution having seconded a member of staff shall be responsible for answering any claims linked to the secondment, from or concerning the member of staff. The State or Union institution in question shall be responsible for bringing any action against the seconded person.

3. The conditions of employment and the rights and obligations of international and local staff shall be laid down in the contracts between the Head of Mission and the members of staff.

*Article 9***Chain of command**

1. EUMM Georgia shall have a unified chain of command, as a crisis management operation.

2. Under the responsibility of the Council, the PSC shall exercise political control and strategic direction of EUMM Georgia.

3. The Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the HR, shall be the commander of EUMM Georgia at the strategic level and, as such, shall issue the Head of Mission with instructions and provide him with advice and technical support.

4. The Civilian Operation Commander shall report to the Council through the HR.

5. The Head of Mission shall exercise command and control of EUMM Georgia at theatre level and shall be directly responsible to the Civilian Operation Commander.

(2) Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations (OJ L 101, 11.4.2001, p. 1).

Article 10

Political control and strategic direction

1. The PSC shall exercise, under the responsibility of the Council and of the HR, political control and strategic direction of the Mission. The Council hereby authorises the PSC to take the relevant decisions in accordance with the third paragraph of Article 38 of the Treaty. This authorisation shall include the powers to appoint a Head of Mission, upon a proposal of the HR, and to amend the Concept of operations (CONOPS) and the OPLAN. The powers of decision with respect to the objectives and termination of the Mission shall remain vested in the Council.
2. The PSC shall report to the Council at regular intervals.
3. The PSC shall receive, on a regular basis and as required, reports by the Civilian Operation Commander and the Head of Mission on issues within their areas of responsibility.

Article 11

Participation of third States

1. Without prejudice to the decision-making autonomy of the Union and its single institutional framework, third States may be invited to contribute to the Mission, provided that they bear the cost of the staff seconded by them, including salaries, all risk insurance cover, daily subsistence allowances and travel expenses to and from Georgia, and that they contribute to the running costs of the Mission, as appropriate.
2. Third States contributing to the Mission shall have the same rights and obligations in terms of day-to-day management of the Mission as Member States.
3. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the proposed contributions and to establish a Committee of Contributors.
4. Detailed arrangements regarding the participation of third States shall be covered by agreements concluded in accordance with Article 37 of the Treaty and additional technical arrangements as necessary. Where the Union and a third State conclude an agreement establishing a framework for the participation of that third State in Union crisis-management operations, the provisions of that agreement shall apply in the context of the Mission.

Article 12

Security

1. The Civilian Operation Commander shall direct the Head of Mission's planning of security measures and ensure their proper and effective implementation for EUMM Georgia in accordance with Articles 5 and 9, in coordination with the Council Security Office.
2. The Head of Mission shall be responsible for the security of the Mission and for ensuring compliance with minimum security requirements applicable to the Mission, in line with the policy of the Union on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, and its supporting instruments.
3. The Head of Mission shall be assisted by a Mission Security Officer (MSO), who shall report to the Head of Mission and also maintain a close functional relationship with the Council Security Office.
4. EUMM Georgia staff shall undergo mandatory security training before taking up their duties, in accordance with the OPLAN. They shall also receive regular in-theatre refresher training organised by the MSO.
5. The Head of Mission shall ensure the protection of EU classified information in accordance with the Council's Security Regulations.

*Article 13***Watch-keeping capability**

The Watch-keeping capability shall be activated for EUMM Georgia.

*Article 14***Financial arrangements**

1. The financial reference amount intended to cover the expenditure related to the Mission between 15 September 2010 and 14 September 2011 shall be EUR 26 600 000.
2. All expenditure shall be managed in accordance with the rules and procedures applicable to the general budget of the European Union.
3. The Head of Mission shall report fully to, and be supervised by, the Commission regarding the activities undertaken in the framework of his contract.
4. Nationals of third States shall be allowed to tender for contracts. Subject to the Commission's approval, the Head of Mission may conclude technical arrangements with Member States, participating third States, and other international actors regarding the provision of equipment, services and premises to EUMM Georgia.
5. The financial arrangements shall respect the operational requirements of the Mission including compatibility of equipment and interoperability of its teams.
6. The expenditure shall be eligible as of the date of adoption of this Decision.

*Article 15***Coordination**

1. Without prejudice to the chain of command, the Head of Mission shall act in close coordination with the Union delegation to ensure the consistency of Union action in support of Georgia.
2. The Head of Mission shall coordinate closely with Heads of the diplomatic missions of Member States.
3. The Head of Mission shall cooperate with the other international actors present in the country.

*Article 16***Release of classified information**

1. The HR shall be authorised to release to the third States associated with this Decision, as appropriate and in accordance with the needs of the Mission, EU classified information and documents up to 'CONFIDENTIEL UE' level generated for the purposes of the Mission, in accordance with the Council's Security Regulations.
2. The HR shall also be authorised to release to the UN and OSCE, in accordance with the operational needs of the Mission, EU classified information and documents up to 'RESTREINT UE' level which are generated for the purposes of the Mission, in accordance with the Council's Security Regulations. Local arrangements shall be drawn up for this purpose.
3. In the event of a specific and immediate operational need, the HR shall also be authorised to release to the host State any EU classified information and documents up to 'RESTREINT UE' level which are generated for the purposes of the Mission, in accordance with the Council's Security Regulations. In all other cases, such information and documents shall be released to the host State in accordance with the appropriate procedures for cooperation by the host State with the Union. The HR shall be authorised to release to the third States associated with this Decision any EU non-classified documents connected with the deliberations of the Council

relating to the Mission and covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council's Rules of Procedure⁽³⁾.

Article 17

Review of the Mission

A Mission review shall be presented to the PSC every six months, on the basis of a report by the Head of Mission and the General Secretariat of the Council.

Article 18

Entry into force and duration

This Decision shall enter into force on the date of its adoption.
It shall apply from 15 September 2010 until 14 September 2011.

Done at Brussels, 12 August 2010.

For the Council

The President

S. Vanackere

(3) Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35).

CHAPTER 66

Georgia/Abkhazia – Statement by Catherine Ashton

Brussels, 13 August 2010

Statement by HR Catherine Ashton on Russian plans on missile deployment in Abkhazia

I am concerned about the reported statements that the Russian Federation has deployed a mid-range air defence system in the Georgian region of Abkhazia without the consent of the Government of Georgia. The deployment of such a weapon system in Abkhazia would be in contradiction with the Six-point ceasefire agreement as well as implementing measures and would risk further increasing tensions in the region. I call on Russia to fully implement all its obligations under the ceasefire agreement. The EU reiterates its firm support for the security and stability of Georgia, based on full respect for the principles of independence, sovereignty and territorial integrity, recognised by international law. The EU also recalls that official visits to the Georgian regions of Abkhazia and South Ossetia should be made in full respect of Georgia's sovereignty and territorial integrity

Aceh – Declaration by Catherine Ashton

Brussels, 15 August 2010

Declaration by HR Catherine Ashton union on the fifth anniversary of the signature of the Aceh MoU and Aceh's peaceful evolution

Today marks the fifth anniversary of the signature on 15 August 2005 of the Memorandum of Understanding (MoU) between the Government of Indonesia and the Free Aceh Movement (GAM) securing the peace agreement for Aceh following the disastrous tsunami in December 2004 and ending 30 years of conflict. The evolution since is very positive. Aceh has progressed considerably towards peace and stability and can look to a bright future. It serves as an example for the whole region of how through negotiations and strong will peace can be achieved even in the most dire of political circumstances.

The European Union is proud that it could contribute to this process through the Aceh Monitoring Mission, jointly with member countries of the Association of South East Asian Nations (ASEAN) as well as Norway and Switzerland. The European Union, and its Member States, have significantly contributed to Aceh's reconstruction. We continue to be committed to Aceh's economic development, the consolidation of peace within democratic Indonesia and the implementation of the MoU and the Law on Governing of Aceh.

The European Union is committed to its relationship with Indonesia. We have lifted our relations to a new level with the signature last year of a comprehensive Partnership and Cooperation Agreement. We want to fill this strengthened partnership with life to build a mutually beneficial relationship and a prosperous future for all of Indonesia and the Indonesian people. Building on the positive experience gained in Aceh, together with ASEAN and its member countries, we are keen to further develop new partnerships aimed at contributing to peace and security in the region and beyond.

CHAPTER 68

Middle East Peace Process – Statements

20 August & 2 September 2010

Quartet statement

Brussels, 20 August 2010

The representatives of the Quartet reaffirm their strong support for direct negotiations between the Israelis and the Palestinians to resolve all final status issues. The Quartet reaffirms its full commitment to its previous statements, including in Trieste on 26 June 2009, in New York on 24 September 2009, and its statement in Moscow on 19 March 2010 which provides that direct, bilateral negotiations that resolve all final status issues should 'lead to a settlement, negotiated between the parties, that ends the occupation which began in 1967 and results in the emergence of an independent, democratic, and viable Palestinian state living side by side in peace and security with Israel and its other neighbours.'

The Quartet expresses its determination to support the parties throughout the negotiations, which can be completed within one year, and the implementation of an agreement. The Quartet again calls on both sides to observe calm and restraint, and to refrain from provocative actions and inflammatory rhetoric. Welcoming the result of the Arab Peace Initiative Committee in Cairo on July 29, the Quartet notes that success will require sustained regional and international support for the negotiations and the parallel process of Palestinian state-building and the pursuit of a just, lasting and comprehensive regional peace as envisaged in the Madrid terms of reference, Security Council resolutions and the Arab Peace Initiative. The Quartet Principals intend to meet with their colleagues from the Arab League in September in New York to review the situation. Accordingly, the Quartet calls on the Israelis and the Palestinians to join in launching direct negotiations on September 2 in Washington, D.C. to resolve all final status issues and fulfil the aspirations of both parties.

Statement by HR Catherine Ashton on resumption of direct talks between Israel and the Palestinians

Brussels, 20 August 2010

I welcome the decision by Israel and the Palestinians to resume direct negotiations. This decision by the parties to engage in substantive talks represents a major step on the road towards a just, lasting and comprehensive peace in the region, something I am hopeful we can now achieve.

I want to firstly commend U.S. President Barack Obama, my U.S. counterpart, Secretary of State Hillary Clinton and Senator George Mitchell for their hard work and determination to bring the Israelis and Palestinians to the negotiating table. I want to also credit my Quartet partners and Quartet Envoy Tony Blair and I would like to thank all of the EU member states for their support of this process.

I also want to stress the importance of the positive outcome of the Arab League Foreign Ministers meeting of July 29.

As a member of the Quartet, and on behalf of the EU, I will continue to work with the parties to support the negotiations. We all want to see a two-state solution with the State of Israel and an independent, democratic, contiguous and viable State of Palestine, living side by side in peace and security with each other and their neighbours.

The parties must work fast and hard on all the final status issues to meet the Quartet's call for a negotiated settlement within one year.

To give negotiations the best chance of success, an enabling environment on the ground is essential. It is therefore imperative that both parties keep calm and exercise restraint. They should only act on the basis of international law, refraining from all provocative actions and inflammatory rhetoric.

Successful negotiations will also need sustained regional, international support and the continuation of the Palestinian state-building process, which the EU fully supports. I call on all concerned to fulfil previous pledges to help the Palestinian Authority.

I also want to reiterate the EU's readiness to contribute substantially to post-conflict arrangements aimed at ensuring the sustainability of peace agreements.

Statement by HR Catherine Ashton on the launch of direct talks on the Middle East

Brussels, 2 September 2010

On the occasion of the launch of direct talks between Israel and the Palestinian Authority, I congratulate Prime Minister Netanyahu and President Abbas for their vision and political courage. I commend the US and the efforts deployed by President Obama, Secretary of State Clinton and Senator Mitchell to bring the parties to the negotiation table. Quartet Envoy Tony Blair and the Arab League have also played an important role in this difficult endeavour.

The EU, including as a member of the Quartet, will continue to support the direct negotiations to ensure their success. The negotiations should focus on all final status issues. I look forward to the accomplishment of the negotiations within one year, as stated in the latest Quartet statement.

The outcome will be crucial not just for the parties, but for the whole region and beyond. The terrible terrorist act that killed four Israeli citizens near Hebron, which I have strongly condemned, shows that there are forces in the region which are determined to undermine the peace process.

We must not allow them to succeed. Supporters of peace must persevere through difficult times.

It is very important that all relevant parties avoid provocative actions which could undermine the success of the talks. This attack underlines, above all, the urgency of a two-state solution with the State of Israel and an independent, democratic, contiguous and viable State of Palestine, living side by side in peace and security with each other and their neighbours.

CHAPTER 69

General Affairs Council

Brussels, 13 September 2011

Common Security and Defence Policy

EU police mission in Afghanistan

The Council adopted a decision approving the signing and conclusion of an agreement with Afghanistan on the status of the EU police mission in Afghanistan (EUPOL Afghanistan) (*doc.10088/1/10*).

European External Action Service

The Council adopted its position on draft amending budget no.6 to the EU's general budget for 2010, approving the creation of a new section X in the budget for the European External Action Service (EEAS) with the appropriate budgetary structure and establishment plan (*docs 12224/10 + 11251/10*).

The draft amending budget involves the transfer of posts from other institutions (411 from the European Council and the Council, 1114 from the Commission), as well as the creation of 100 new posts and the recruitment of 60 local agents and 10 contract agents. The net financial impact amounts to EUR 9.52 million. The Council adopted a statement emphasising that the establishment of the EEAS should be guided by the principle of cost efficiency, aiming towards budget neutrality.

EUPOL Afghanistan – Council Decision

Brussels, 13 September 2010

Council decision 2010/686/CFSP concerning the signing and conclusion of the agreement between the European Union and the Islamic Republic of Afghanistan on the status of the European Union Police Mission in Afghanistan (EUPOL Afghanistan)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, in particular Article 37 thereof, and the Treaty on the Functioning of the European Union, in particular Article 218(5) and the first subparagraph of Article 218(6) thereof,

Having regard to the proposal of the High Representative of the Union for Foreign Affairs and Security Policy (hereinafter the High Representative),

Whereas:

(1) Negotiations have been concluded under the authority of the High Representative for an Agreement between the European Union and the Islamic Republic of Afghanistan on the Status of the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN) (hereinafter the Agreement).

(2) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and the Islamic Republic of Afghanistan on the Status of the European Union Police Mission in Afghanistan is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Union.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 13 September 2010.

For the Council

The President

S. Vanackere

CHAPTER 71

Democracy – Declaration by Catherine Ashton

Brussels, 15 September 2010

Declaration by HR Catherine Ashton on the occasion of the international day of democracy on 15 September

The EU pays tribute to all defenders of democracy who suffer threats, persecution, and even risk imprisonment and attempts to their lives whilst standing up for democracy and democratic principles. Democracy is at the core of what the European Union is about. It is not only one of the founding principles of the European Union but democracy support is a declared policy objective of the EU's External Policy, as recently confirmed by the Council of the European Union¹.

Democracy, human rights, security, governance and sustainable development are intrinsically linked. Democratic principles have their roots in universal norms and values, and democracy itself has been affirmed as a universal value by the UN Summit Outcome Document of 2005. Democratic principles and values are also key to sustain poverty alleviation, economic development and gender equality in the long term. They are a prerequisite for government accountability and transparency, to sustain an independent judiciary, free media and a framework for protecting human rights. They are also the most basic form of crisis management and conflict prevention.

The EU, with its unique history and experience, itself demonstrates that democracies bring about peace, development and prosperity. The EU does not believe that democracy can be exported or imposed, but democratic development and consolidation in third countries can be supported. There is no one single model of democracy. Democracy must come from within and be shaped by each society, based on universal principles, but taking into account the unique historic, geographic and cultural context of that society. The EU has many instruments at its disposal to support democracy and democratic actors around the world, and is looking forward to a more coherent, consistent and efficient use of these instruments.

1. Council Conclusions on Democracy Support in the EU's External Relations – Towards Increased Coherence and Effectiveness adopted on 18 November 2009

CHAPTER 72

European Council Conclusions

Brussels, 16 September 2010

I. Relations with strategic partners

A changing world: a challenge for the EU

1. Europe is facing many challenges in a rapidly changing world, which all require a concerted international response. The recent economic and financial crisis has dramatically shown the extent to which the well-being, security and quality of life of Europeans depend on external developments. The emergence of new players with their own world views and interests is also an important new feature in the international environment.

2. The European Union must be an effective global actor, ready to share in the responsibility for global security and to take the lead in the definition of joint responses to common challenges. A strong economy and internal cohesion will strengthen the Union's ability to project its influence in the world. The Union can draw on its firmly-rooted belief in effective multilateralism, especially the role of the UN, universal values, an open world economy and on its unique range of instruments. It remains the largest donor to countries in need, it is the first trading power in the world, and it has developed a common security and defence policy supported by crisis management tools which should be further reinforced. It also plays a major stabilizing role in its neighbourhood. The Union has secured stability in the Western Balkans particularly through the European perspective given to that region; the European Council will revert to this at a subsequent meeting.

3. In accordance with the Lisbon Treaty, and in line with the European Security Strategy, the European Union and its Member States will act more strategically so as to bring Europe's true weight to bear internationally. This requires a clear identification of its strategic interests and objectives at a given moment and a focused reflection on the means to pursue them more assertively. The European Council calls for improving synergies between the European Union and national levels, consistent with the provisions of the Treaties, for enhancing coordination between institutional actors, for better integrating all relevant instruments and policies and for using summit meetings with third countries more effectively, as set out in more detail in Annex I.

4. The European Union's strategic partnerships with key players in the world provide a useful instrument for pursuing European objectives and interests. This will only work if they are two-way streets based on mutual interests and benefits and on the recognition that all actors have rights as well as duties. The full participation of emerging economies in the international system should allow its benefits to be spread in a balanced manner and its responsibilities to be shared evenly. In this context, enhancing trade with strategic partners constitutes a crucial objective, contributing to economic recovery and job creation. We must take concrete steps to

secure ambitious Free Trade Agreements, secure greater market access for European businesses and deepen regulatory cooperation with major trade partners.

Orientations for upcoming events

5. The European Union will hold a number of important international meetings in the coming weeks. The European Council lays out initial orientations today with a view to these meetings. It will in future regularly discuss external relations in order to set strategic orientations in advance of key events, in particular with a view to defining key messages on our objectives and on the means to achieve them. This requires clear strategic guidance by the European Council on the basis of an effective preparation by the High Representative and by the Council.

6. October will see summits with China and the Republic of Korea and the Asia-Europe Meeting (ASEM), followed later in the year by a summit with India. They are a good opportunity to engage with key partners in a very dynamic part of the world. Issues such as the respective roles in achieving a sustainable recovery from the economic crisis and in seeking global solutions to universal challenges will be on the agenda. Concrete steps should be taken in priority areas of cooperation between Europe and Asia, such as cooperation on climate change, including on the promotion of effective and verifiable reductions in emissions, as well as on renewables and energy efficiency; pressing security issues, such as proliferation, terrorism, cybersecurity and piracy; cooperation on regional issues such as Iran and North Korea as well as on global issues such as migration, energy and access to raw materials; working together on development policies and the promotion of good governance, labour standards and human rights and developing people-to-people relations.

In view of the EU/China summit in particular, the European Union should actively pursue its strategic interests, including as regards the promotion of bilateral trade, market access for goods and services and investment conditions; the protection of intellectual property rights and the opening up of public procurement markets; stronger discipline in the field of export subsidies; and the dialogue on exchange rate policies.

7. Over the coming months there will be a number of other important external relations issues which will have to be addressed by the European Council.

- a. The G20 Summit in Seoul will allow a review of the global economic recovery and the commitments made by G20 members. In particular, it will allow the Union to stress the importance of maintaining strong momentum in the area of financial reform; in this respect, the recent agreement between the European Parliament and the Council on the financial supervision package and the completion of the reform of the regulatory framework by the end of 2011 strengthen the EU's hand. It should also serve to send a clear signal on the need to conclude the WTO DDA negotiations and implement the Framework for Strong, Sustainable and Balanced Growth. The European Council will discuss the detailed preparation of Seoul at its October 2010 meeting and set the Union's position. The G8 and the G20 will remain important fora for the definition of global responses to many of the challenges facing us, to which the EU must actively contribute through coordinated positions. The European Council therefore welcomes the ambition of the incoming French chairmanship in 2011 to fully use the G20 and G8 to that end.
- b. The transatlantic relationship is based on common values and constitutes a core element of the international system. The present circumstances call for fresh impetus to be given to this relationship and for renewed reflection on ways of creating a true partnership based on our respective strengths and specificities. The November 2010 summit with President Obama will constitute a real opportunity in this respect and will require careful preparation. The

October 2010 European Council will agree on the key political messages the European Union representatives will bring to this major summit. Based on a good understanding of mutual interests and the respective contributions, the transatlantic partnership should concentrate on maximising the potential benefits of our economic relationship, on working more closely on major international issues and on confronting global economic and security challenges together in a concerted manner. In this connection, the High Representative is invited to develop ideas on how EU/NATO cooperation in crisis management, in accordance with the United Nations Charter and with the relevant United Nations Security Council resolutions, could be further strengthened. This should be done in a spirit of mutual reinforcement and in respect of their decision-making autonomy, further to the recommendations on concrete measures transmitted by the EU to NATO in February 2010.

- c. The European Council will take stock of preparations for the Cancun conference on climate change at its October meeting and agree on the EU position. Cancun should be a stepping stone in the international climate negotiations, agreeing on concrete deliverables for all participants to create momentum and stay on track for an ambitious final agreement.
- d. The upcoming reflection on the implementation of the European Neighbourhood Policy will provide an opportunity to deepen relations with the Union's eastern neighbours through the Eastern Partnership as well as with its southern neighbours. The smooth implementation of projects launched within the Eastern Partnership constitutes an outreach of EU values and promotes the legal, economic and social approximation of the concerned countries to the EU. The second summit of the Union for the Mediterranean will provide a timely opportunity to strengthen Euro-Mediterranean cooperation and support the resumption of direct negotiations between the parties in the Middle East Peace Process.
- e. EU/Africa relations have taken on a new dynamic in recent years. The EU/South Africa Summit on 28 September 2010 and the EU/Africa Summit on 29/30 November 2010 should serve to further deepen relations. The EU, in partnership with African countries, will continue to pursue the objectives of economic development, good governance, transparency and accountability in the context of the joint EU/Africa Strategy.
- f. The 20-22 September UN High Level Plenary Meeting on the Millennium Development Goals will gather in New York. The European Union is firmly committed to supporting the achievement of the MDG globally by 2015, together with partners in the international community.
- g. The upcoming summits with Ukraine, in November, and Russia, in December, should be used to deepen cooperation on areas of mutual benefit, so as to bring more stability and predictability to those two important relationships, as well as to promote human rights.

In particular, the summit with Ukraine should bring progress to the negotiations on the Association Agreement, including the deep and comprehensive Free Trade Agreement, and highlight the role of the EU in the economic and democratic reforms of this important neighbour.

The summit with Russia will provide an opportunity to enhance cooperation with Russia and to discuss in particular its modernization agenda. Cooperation should be enhanced on economic issues such as energy, investment and innovation, on security issues, including frozen conflicts, the combat against terrorism and organized crime, and on environmental issues, including climate change.

The October European Council will come back to the key messages of the European Union in these summits so as to ensure a fruitful outcome.

- h. Building on the successful summit held this year with its Latin American and Caribbean partners, the EU is committed to continue to work closely together with the countries of the region in response to the global challenges facing us.
- 8. Pakistan's development and stability is of strategic importance to the European Union. In light of the devastating floods, the European Union and its Member States have responded with an increase in bilateral and multilateral humanitarian aid. The European Council adopted a declaration on Pakistan (Annex II).
- 9. The European Union will remain actively engaged and involved, including through the Quartet, to support and ensure the success of the negotiations between Israel and the Palestinian Authority. The European Council adopted a declaration on the Middle East Peace Process (Annex III).

ANNEX I – Internal arrangements to improve the European Union's External Policy

- a) Looking at concrete measures to more generally improve the functioning of the European Union's external policy, the European Council calls for a more integrated approach, ensuring that all relevant EU and national instruments and policies are fully and coherently mobilised, consistent with the provisions of the Treaties, in support of the European Union's strategic interests. The importance of issues like climate change, energy policy, trade, development or Justice and Home Affairs issues, including migration and visa policy in dealings with partners and at a multilateral level must be fully taken into account in preparations for summits and international events. In this regard the European Union should further enhance the coherence and complementarity between its internal and external policies. The practice of holding orientation debates well before summits should be further developed, with a particular emphasis on setting priorities and concrete tasking.
- b) Synergies need to be developed between the European Union's external relations and Member States bilateral relations with third countries, so that, where appropriate, what is done at the level of the European Union complements and reinforces what is done at the level of the Member States and vice versa. There should be more active and regular sharing of information and consultation on developments at the respective levels, on the basis of a running calendar of EU and Member States' summits with major strategic partners.
- c) Close and regular coordination between all the different institutional actors involved in the definition and implementation of the European Union's external relations is necessary to ensure that EU representatives can defend coherent positions on the whole range of the strategic interests and objectives of the Union.
- d) Much progress has been achieved in the preparation, at the level of the European Union, for multilateral summits, notably through the practical arrangements reached between the President of the European Council and the President of the Commission on the EU representation in the G8 and G20 structures. It invites them to continue to work towards improving the way in which the European Union projects its views in such fora.
- e) The European Union needs a clear picture of the particular issues arising from relations with the individual partner States. It needs to develop medium-term planning that sets out objectives to be reached over time, with each summit concentrating on two or three

core issues. The European Council therefore asks the High Representative, in coordination with the Commission and with the Foreign Affairs Council, to evaluate the prospects of relations with all strategic partners, and set out in particular our interests and possible leverage to achieve them. The High Representative is invited to present a first progress report on this work to the December 2010 European Council. In this context, there should be a reflection on the frequency, format and output of those summits, which need to be better targeted towards reaching EU objectives. The European Council invites its President, in cooperation with the President of the Commission and the High Representative, to take any necessary initiatives with a view to improving the process.

- f) The European External Action Service will be a crucial tool in support of the efforts towards enhancing the European Union's external policy. At service level, it will, under the authority of the High Representative, provide support to the European Council, the Council and the Commission concerning the strategic overview and coordination necessary to ensure the coherence of the European Union's external action as a whole.

ANNEX II – Declaration on Pakistan

1. The European Council is shocked at the devastating impact of the floods in Pakistan which continue to destroy livelihoods and communities throughout the country. The scale of the disaster is unprecedented in Pakistan's history. The cost in humanitarian needs and to its already fragile economy is immense. The severity of this crisis demands an immediate and substantial response, taking also into account the strategic importance of Pakistan's development, security and stability in the region. Following the second EU-Pakistan Summit held last June, the European Council reiterates its intention to strengthen cooperation on political issues. A stable, democratic and prosperous Pakistan is key to addressing global issues such as counter-terrorism, non-proliferation or counter-narcotics. Good governance will also be key to ensure swift reconstruction of the country.

2. The European Council recalls the recent efforts of the EU (Member States and the Commission) in response to the crisis, notably the provision of significant humanitarian aid. It recognises the importance of further support to Pakistan to bring immediate relief and longer term assistance for recovery and reconstruction.

3. To this end, the European Council resolves to mandate Ministers to agree urgently a comprehensive package of short, medium and longer term measures which will help underpin Pakistan's recovery and future development. These should comprise significant additional humanitarian and development assistance as well as ambitious trade measures essential for economic recovery and growth. In this regard, the European Council underlines its firm commitment to grant exclusively to Pakistan increased market access to the EU through the immediate and time limited reduction of duties on key imports from Pakistan in conformity with WTO rules, to be implemented as soon as possible, and to commit to Pakistan's eligibility for GSP+ for 2014, provided it meets the necessary criteria. The Commission is invited to explore options with WTO partners and to present its finalised proposal in October taking account of industrial sensitivities in the EU.

ANNEX III – Declaration on the Middle East Peace Process

The European Union strongly welcomes the launch of direct negotiations between Israel and the Palestinian Authority, announced in Washington on 2nd September 2010, and commends the Israelis, the Palestinians and the United States as well as the Quartet and Arab partners for their efforts. The decision by the parties to engage in substantive talks represents a major step on the road towards a just, lasting and comprehensive peace in the region.

Recalling the Council conclusions of December 2009 on the Middle East Peace Process, the European Union stresses that these negotiations on all final status issues should lead to a two-state solution with the State of Israel and an independent, democratic, contiguous and viable State of Palestine living side by side in peace and security.

In this context, the European Union deems it indispensable that both parties observe calm and restraint and refrain from actions that could affect negatively the progress of the negotiations. It calls on both parties to uphold previous commitments and to strive to create an environment conducive to a successful outcome. The European Union recalls that settlements are illegal under international law and calls for an extension of the moratorium decided by Israel. It continues to call for a complete stop to all violence, in particular rocket fire and terrorist attacks.

The European Union will spare no effort, along with its partners in the Quartet as well as Arab partners, to support the US-led efforts for successful negotiations that lead to a framework agreement within one year, which is in the interest of Israelis and Palestinians, the peoples of the region and the international community. The European Union is the first donor to the Palestinians and a crucial political and economic partner of both parties as well as their neighbours. In this regard, it stresses that the European Union will remain actively engaged and involved, including through the Quartet, to support and ensure the success of the negotiations and invites the High Representative to continue to fully associate the European Union to the ongoing efforts. The European Union stresses the need for the Quartet to continue to play an essential role in the peace process. It also stresses the crucial importance of the continuation of the Palestinian State building process which the European Union will continue to actively support, including the implementation of the Fayyad Plan.

Recalling the Council conclusions of June 2010 on Gaza, the European Union also stresses that for peace to be sustainable, a durable solution needs to be found for Gaza. It welcomes the recent measures announced by the Israeli government as an important step forward. It calls for full implementation and complementary measures in order to achieve a fundamental change of policy that allows for the reconstruction and economic recovery of Gaza. The EU has offered its assistance for achieving this objective. The European Union calls for a solution addressing Israel's legitimate security concerns.

The European Union recalls that peace in the Middle East should be comprehensive and reiterates the importance of negotiations on the Israeli-Syria and Israeli-Lebanon tracks.

CHAPTER 73

EUSEC RD Congo – Council Decision

Brussels, 21 September 2010

Council decision 2010/565/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28 and Article 43 thereof,

Whereas:

(1) On the basis of Joint Action 2005/355/CFSP⁽¹⁾, the European Union (EU) has been conducting, since 2 May 2005, a mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC) (EUSEC RD Congo). The current mandate of the mission is set out in Joint Action 2009/709/CFSP⁽²⁾ and expires on 30 September 2010.

(2) The Secretary-General/High Representative for Common Foreign and Security Policy sent a letter to the President of the DRC dated 27 July 2009 stating the EU's renewed commitment. Following that letter, the mission statement was adapted as from 1 October 2009. The Congolese authorities transposed that letter into an action programme which was signed, on 21 January 2010, by the Minister for Defence and War Veterans and the Head of the EUSEC RD Congo mission.

(3) Following the ratification in 2005 of the Constitution of the Third Republic of the Congo, the elections held in the DRC in 2006 marked the end of the transition process and enabled a government to be formed in 2007, which has adopted a programme providing in particular for comprehensive reform of the security sector, the drawing up of a national plan, and priority reforms in the police, armed forces and judicial sectors. The Congolese authorities have demonstrated their interest in implementing the security sector reform (SSR) process in the DRC at operational level by developing a plan to reform the Armed Forces of the Democratic Republic of the Congo (FARDC) in three stages between 2009 and 2025, a plan which was approved by the President of the Republic at the end of May 2009 and presented to the representatives of the international

(1) Council Joint Action 2005/355/CFSP of 2 May 2005 on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC) (OJ L 112, 3.5.2005, p. 20).

(2) OJ L 246, 18.9.2009, p. 33.

community on 26 January 2010, and by taking over the role of coordinator of the work of the various actors supporting SSR in the DRC.

(4) The United Nations has reaffirmed its support for the transition process and SSR by means of several Security Council resolutions, and is conducting the United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO), which is focusing on peacekeeping in the east of the country and on peace consolidation throughout the country. On 28 May 2010, the United Nations Security Council adopted Resolution 1925 (2010) extending MONUC's mandate until 30 June 2010 and renaming it the United Nations Organisation Stabilisation Mission in the DRC (MONUSCO) as from 1 July 2010 and allowing it to support, in close cooperation with other international partners, the efforts of the Congolese authorities to strengthen and reform security and judicial institutions.

(5) The EU has consistently supported SSR in the DRC, as one of the elements of a more general EU commitment to supporting development and democracy in the African Great Lakes Region, while taking care to promote policies compatible with human rights and international humanitarian law, democratic standards and the principles of good governance, transparency and respect for the rule of law.

(6) On 14 June 2010, the Council adopted Decision 2010/329/CFSP amending and extending for an additional period of three months Joint Action 2007/405/CFSP on the European Union police mission undertaken in the framework of SSR and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo)⁽³⁾.

(7) In order to increase the coordination, consistency and complementarity of the EU's activities in the DRC, making maximum use of the new European institutional framework, there should be enhanced coordination of EU action between the two missions, between the European players in the DRC and between Brussels and Kinshasa.

(8) On 11 August 2010, the Council adopted Decision 2010/440/CFSP⁽⁴⁾ extending the mandate of Mr Roeland VAN DE GEER as the EU Special Representative (EUSR) for the African Great Lakes Region.

(9) On 29 July 2010, the Council approved the crisis management concept for the commitment of common security and defence policy missions in support of security sector reform in the DRC.

(10) Third States should participate in the project in accordance with the general guidelines defined by the European Council.

(11) The current security situation in the DRC may deteriorate, with potentially serious repercussions for the process of strengthening democracy, the rule of law and international and regional security. A continued commitment of EU political effort and resources will help to embed stability in the region,

HAS ADOPTED THIS DECISION:

Article 1

Mission

1. The European Union (EU) is conducting a mission to provide advice and assistance for security sector reform (SSR) in the Democratic Republic of the Congo (DRC), hereinafter referred to as 'EUSEC RD Congo' or 'the mission', with the aim of assisting the Congolese authorities in setting up a defence apparatus capable of guaranteeing the security of the Congolese people,

(3) OJ L 149, 15.6.2010, p. 11.

(4) OJ L 211, 12.8.2010, p. 20.

while respecting democratic standards, human rights and the rule of law, as well as the principles of good governance and transparency.

2. The mission shall operate in accordance with the mission statement set out in Article 2.

Article 2

Mission statement

1. The mission shall aim, in close cooperation and coordination with the other actors in the international community, in particular the United Nations and MONUSCO, and in pursuit of the objectives laid down in Article 1, to provide practical support in the field of SSR, creating conditions to facilitate the implementation in the short and medium term of activities and projects based on the guidelines adopted by the Congolese authorities in the plan for reform of the FARDC as set out in the mission action programme, including:

- (a) maintaining support at strategic level;
- (b) supporting the consolidation of the administration and the introduction of a human resources management system based on the work in progress;
- (c) supporting the modernisation of logistics;
- (d) supporting a relaunch of the training system, particularly for executive staff, mainly through support for the School of Administration and Military Academy project in Kananga and for studies for the School of Logistics in Kinshasa;
- (e) pursuing activities relating to the campaign against impunity in the areas of respect for human rights, including sexual violence.

2. The mission shall advise the Member States and shall coordinate and facilitate, under their responsibility, the implementation of their projects in fields which are of interest to the mission and in furtherance of its objectives.

Article 3

Structure of the mission and deployment zone

1. The mission shall have headquarters in Kinshasa consisting of:

- (a) a leadership;
- (b) an administrative support and logistics department;
- (c) a department of defence experts responsible for assisting and supporting the Congolese in carrying out specific actions in the areas of administration, human resources, logistics and training;
- (d) an advice and assistance department, including advisers deployed in the east of the DRC and responsible for contributing to work on SSR carried out by the Congolese administration; and
- (e) a planning cell.

2. The main deployment zone shall be Kinshasa. Seconded advisers might also be deployed in the military regions in the east of the DRC. Movements of experts and their temporary presence in the military regions might also prove necessary, on the instructions of the Head of Mission.

Article 4

Planning

The Head of Mission shall draw up an implementation plan (OPLAN) for the mission, to be submitted for approval by the Council. He shall be assisted in this task by the departments

under the authority of the High Representative of the Union for Foreign Affairs and Security Policy (HR).

Article 5

Head of Mission

1. The Head of Mission shall assume day-to-day management of the mission and shall be responsible for staff and disciplinary matters.

2. All seconded staff shall remain under the full command of the national authorities of the sending State or the EU institution concerned. National authorities shall transfer operational control (OPCON) of their personnel to the Head of Mission.

3. The Head of Mission shall be responsible for disciplinary matters relating to staff. In the case of seconded staff, disciplinary action shall be exercised by the national authorities or EU institution concerned.

4. In the context of the mission statement as set out in Article 2, the Head of Mission shall be authorised to have recourse to financial contributions from the Member States to implement projects identified as supplementing in a consistent manner the mission's other actions, in two specific cases: either the project is provided for in the financial statement relating to this Decision or it is incorporated in the course of the mission by amending the financial statement at the request of the Head of Mission.

The Head of Mission shall conclude an arrangement with the Member States concerned. This arrangement shall in particular cover the specific procedures for dealing with any complaint from third parties concerning damage caused as a result of acts or omissions by the Head of Mission in the use of the funds provided by the contributing Member States.

Under no circumstances may the EU or the HR be held liable by contributing Member States as a result of acts or omissions by the Head of Mission in the use of funds from those States.

5. The Head of Mission shall sign a contract with the Commission to execute the budget for the mission.

6. The Head of Mission shall collaborate closely, in his area of competence, with the Head of the EU Delegation, the heads of Member States' missions in Kinshasa and the EU Special Representative (EUSR).

Article 6

Staff

1. Mission experts shall be seconded by Member States and by the EU institutions. Except for the Head of Mission, each Member State or institution shall bear the costs relating to the experts seconded, including travel expenses to and from the DRC, salaries, medical coverage and allowances other than daily allowances.

2. International civilian staff and local staff shall be recruited on a contractual basis by the mission as required.

3. All mission experts shall remain under the authority of the appropriate Member State or EU institution, and shall fulfil their duties and act in the interest of the mission. Both during and after the mission, mission experts shall exercise the greatest discretion with regard to all facts and information relating to the mission.

Article 7

Chain of command

1. The mission shall have a unified chain of command.

2. The Head of Mission shall lead the mission and assume its day-to-day management.
3. The Head of Mission shall report to the HR.

Article 8

Political control and strategic direction

1. Under the responsibility of the Council and the HR, the Political and Security Committee (PSC) shall exercise the political control and strategic direction of the mission. The Council hereby authorises the PSC to take the relevant decisions in accordance with Article 38(3) of the Treaty on European Union (TEU). This authorisation shall include the power to amend the implementation plan. It shall also include powers necessary to take decisions regarding the appointment of the Head of Mission. The power of decision with respect to the objectives and termination of the mission shall remain vested in the Council, assisted by the HR.
2. The PSC shall report to the Council at regular intervals.
3. The PSC shall receive reports by the Head of Mission at regular intervals, through the HR. The PSC may invite the Head of Mission to its meetings as appropriate.

Article 9

Financial provisions

1. The financial reference amount to cover expenditure relating to the mission shall be EUR 12 600 000 for the period from 1 October 2010 to 30 September 2011.
2. As regards expenditure financed out of the amount stipulated in paragraph 1, the following shall apply:
 - (a) expenditure shall be managed in accordance with the EU rules and procedures applicable to the budget. Nationals of third States shall be allowed to tender for contracts;
 - (b) the Head of Mission shall report fully to, and be supervised by, the Commission regarding the activities undertaken in the framework of his contract.
3. The financial arrangements shall respect the operational requirements of the mission, including compatibility of equipment.
4. The expenditure connected with the mission shall be eligible as from the entry into force of this Decision.

Article 10

Participation by third States

1. Without prejudice to the decision-making autonomy of the EU and the single institutional framework, the Council authorises the PSC to invite third States to propose to contribute to the mission, provided that they bear the cost of the staff seconded by them, including salaries, all risks insurance cover, daily allowances and travel expenses to and from the DRC, and that they contribute to the running costs of the mission, as appropriate.
2. Third States contributing to the mission shall have the same rights and obligations in terms of day-to-day management of the mission as Member States.
3. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the contributions proposed and to establish a Committee of Contributors.
4. Detailed arrangements regarding the participation of third States shall be covered by agreements concluded pursuant to Article 37 of the TEU and in accordance with the procedure laid down in Article 218 of the Treaty on the Functioning of the European Union (TFEU) and additional technical arrangements if necessary. Where the EU and a third State have concluded

an agreement establishing a framework for the third State's participation in EU crisis-management operations, the provisions of that agreement shall apply in the context of the mission.

Article 11

Implementation and consistency of the EU's response

1. The HR shall be responsible for the implementation of this Decision and shall also ensure that it is consistent with the EU's external action as a whole, including the EU's development programmes.
2. The Head of Mission shall assist the HR in implementing this Decision.

Article 12

Coordination

1. Arrangements for the coordination of the EU's activities in the DRC shall be established in Kinshasa as well as in Brussels.
2. Without prejudice to the chain of command, the Head of the EUSEC RD Congo mission and the Head of the EUPOL RD Congo mission shall coordinate their activities closely and shall seek synergies between the two missions, particularly as regards the horizontal aspects of SSR in the DRC, and as regards the sharing of functions between the two missions, particularly in relation to crosscutting areas.
3. The Head of Mission shall ensure that EUSEC RD Congo closely coordinates its activities in support of the reform of the FARDC with the Government of the DRC, the United Nations, via the MONUSCO mission, and the third States involved in the defence area of the SSR process in the DRC.
4. The Head of the EU delegation in Kinshasa shall provide local political guidelines for the EUSEC RD Congo mission within the general framework defined by the planning documents, without prejudice to the EUSR's brief.
5. The Head of the EU delegation and the Head of the EUSEC RD Congo mission shall establish the appropriate arrangements for information/consultation, particularly as regards the political aspects which may have an impact on the conduct of the mission. Likewise, the Head of the EUSEC RD Congo mission shall inform the Head of the EU delegation of all contacts at his level which may have a political impact.
6. The Head of the EUSEC RD Congo mission (or his representative) shall also act as defence adviser to the Head of the delegation, without prejudice to each player's existing chains of command. In that context, there shall be constant contact between the mission and the EU delegation.
7. As part of his brief, the EUSR shall, where necessary, provide the EUSEC RD Congo mission with political advice on the regional dimension, particularly as regards the Nairobi, Goma and Juba processes.

Article 13

Release of classified information

1. The HR shall be authorised to release to third States associated with this Decision EU classified information and documents up to the level 'CONFIDENTIEL UE' generated for the purposes of the operation, in accordance with the Council's security regulations⁽⁵⁾.

(5) Decision 2001/264/EC (OJ L 101, 11.4.2001, p. 1).

2. The HR shall be authorised to release to the United Nations, in accordance with the operational needs of the mission, EU classified information and documents up to the level ‘RESTREINT UE’ generated for the purposes of the operation, in accordance with the Council’s security regulations. Local arrangements shall be established for this purpose.
3. In the event of a specific and immediate operational need, the HR shall also be authorised to release to the host State EU classified information and documents up to the level ‘RESTREINT UE’ generated for the purposes of the operation, in accordance with the Council’s security regulations. In all other cases, such information and documents shall be released to the host State in accordance with procedures appropriate to the host State’s level of cooperation with the EU.
4. The HR shall be authorised to release to third States associated with this Decision EU non-classified documents relating to the deliberations of the Council with regard to the operation and covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council’s Rules of Procedure⁽⁶⁾.

Article 14

Status of the mission and of its staff

1. The status of mission staff, including where appropriate the privileges, immunities and any further guarantees necessary for the completion and smooth functioning of the mission, shall be agreed pursuant to Article 37 of the TEU and in accordance with the procedure laid down in Article 218(3) of the TFEU.
2. The State or EU institution having seconded a staff member shall be responsible for dealing with any complaints linked to the secondment, from or concerning the staff member. The State or EU institution in question shall be responsible for bringing any action against the person seconded.
3. The conditions of employment and the rights and obligations of international and local civilian personnel shall be set out in a contract concluded between the Head of Mission and the staff member.

Article 15

Security

1. The Head of Mission shall be responsible for the security of the EUSEC RD Congo mission.
2. The Head of Mission shall exercise this responsibility in accordance with EU directives on the security of staff deployed outside EU territory in an operational mission decided on pursuant to Title V, Chapter 2, of the TEU and related documents.
3. The Head of Mission shall be assisted by a Mission Security Officer (MSO) who shall report to him and shall also have a functional link with the Council Security Office.
4. Appropriate training in security measures shall be provided for all staff, in accordance with the OPLAN. A reminder of security instructions shall be given regularly by the MSO.

Article 16

Review of the mission

On the basis of an evaluation report drafted by the departments under the authority of the HR halfway through the mission and presented in June 2011 at the latest, the PSC shall approve recommendations to the Council with a view to reviewing the progress of the reform of the FARDC and evaluating the impact of the mission on the implementation of specific measures to

(6) Council Decision 2009/937/EU (OJ L 325, 11.2.2009, p. 35).

support the plan for reform of the FARDC. The evaluation shall be based, inter alia, on progress indicators and on specific operational indicators detailed in the OPLAN.

Article 17

Entry into force and duration

This Decision shall enter into force on 1 October 2010.

It shall apply until 30 September 2012.

Done at Brussels, 21 September 2010

For the Council

The President

S. Vanackere

CHAPTER 74

Middle East Peace Process – Quartet Statement

21 September 2010

The Quartet expressed its strong support for the resumption of Israeli-Palestinian negotiations, which can resolve all final status issues within one year. The Quartet reaffirmed its full commitment to its previous statements, which provide that negotiations should lead to an agreement that ends the occupation that began in 1967 and results in the emergence of an independent, democratic, contiguous, and viable Palestinian state living side-by-side in peace and security with Israel and its other neighbors. The Quartet also confirmed its determination to support the parties throughout the negotiations and in the implementation of an agreement.

Noting that mutual trust and confidence are critical to successful negotiations, the Quartet reiterated its call on Israel and the Palestinians to promote an environment conducive to progress, including by refraining from provocative actions and inflammatory rhetoric. The Quartet noted that the commendable Israeli settlement moratorium instituted last November has had a positive impact and urged its continuation. The Quartet recalled that unilateral actions by either party, including settlement activity, cannot prejudice the outcome of negotiations and will not be recognized by the international community. The Quartet called upon both sides to fulfill their obligations under the Road Map. The Quartet encouraged the parties to work together to find a way to ensure that negotiations continue in a constructive manner and urged the international community to support their efforts.

The Quartet underscored its commitment to a just, lasting, and comprehensive Middle East peace, including Israeli-Syrian and Israeli-Lebanese agreements. In the spirit of the Arab Peace Initiative, the Quartet called on Arab states to support Israeli-Palestinian negotiations and progress on the other tracks by taking bolder steps to foster positive relations throughout the region and to combat violence and extremism.

Recalling that change on the ground is integral to peace, the Quartet reaffirmed its support for the Palestinian Authority's August 2009 plan for building the institutions of a Palestinian state within two years. The Quartet commended the significant progress toward that goal as reported by international institutions to the 21 September 2010 meeting of the Ad Hoc Liaison Committee. The Quartet took particular note of statement in the Economic Monitoring Report of the World Bank that 'If the Palestinian Authority maintains its current performance in institution-building and delivery of public services, it is well-positioned for the establishment of a state at any point in the near future.'

The Quartet called for Israel to take further steps to facilitate Palestinian state-building and economic growth. The Quartet welcomed measures Israel has already taken to improve day-to-day life for Palestinians, including the easing of restrictions on movement in the West Bank and improved Gaza access, and commended the work of the Quartet Representative in helping to achieve that change. The Quartet further called upon Arab states and the international community to provide immediate and sustained support for the Palestinian Authority.

The Quartet reaffirmed that the current situation in Gaza is not in the interests of Palestinians or Israelis and restated its desire to see progress on the implementation of all aspects of Security Council resolution 1860. Reconfirming its statement of 21 June 2010 the Quartet welcomed the significant shift in Israel's Gaza policy since June 2010 and called for further efforts by all concerned to ensure the unimpeded flow of humanitarian aid, commercial goods, and persons to and from Gaza and to address Israel's legitimate security concerns. The Quartet also took positive note of approvals of UN and other international projects in Gaza and expressed its desire to see further progress in the near future. The Quartet reiterated its support for efforts to restore Palestinian unity based on the commitments of the Palestine Liberation Organization. The Quartet condemned in the strongest possible terms continuing violence against Israeli and Palestinian civilians, in particular the 31 August 2010 attack near Hebron, for which Hamas claimed responsibility while threatening additional attacks. The Quartet urged a complete halt to all violence and reiterated its call on all parties to ensure the protection of civilians and to respect international humanitarian and human rights law. The Quartet reiterated its call for the immediate release of Israeli soldier Gilad Shalit.

The Quartet committed to remain actively involved on all tracks and to encourage and review progress. The Quartet agreed to meet regularly and to task the envoys and the Quartet Representative to intensify their cooperation, to maintain contacts with the Arab League Committee on the Arab Peace Initiative, and to formulate recommendations for Quartet action. The Quartet reaffirmed its support, in consultation with the parties, for an international conference in Moscow at the appropriate time, concurrent with direct negotiations.

CHAPTER 75

Iran – Statement by Catherine Ashton

22 September 2010

Statement delivered by HR Catherine Ashton on behalf of the E3+3

The Ministers of Foreign Affairs of China, France, Germany, Russia, the United Kingdom and the United States and I met today. We reaffirmed our determination and commitment to seek an early negotiated solution to the Iranian nuclear issue and focused our discussion on further practical steps to achieve it at an early date. We also discussed the implementation of UNSCR 1929, adopted by the Security Council on June 9th of this year, which reflected the international community's concerns about the Iranian nuclear programme: we confirmed the need for Iran to comply with the UN Security Council, and IAEA Board of Governors requirements, and reaffirmed our commitment to continued and active engagement between E3+3 and Iran. Our objective continues to be a comprehensive long-term negotiated solution which restores international confidence in the exclusively peaceful nature of Iran's nuclear programme, while respecting Iran's legitimate right to the peaceful use of nuclear energy. We remain determined and united in our efforts for this purpose. We are ready to engage with Iran in the context of implementing the understandings reached during the Geneva meeting of 1 October 2009, and look forward to an early meeting of the E3+3 with Iran. In the context of this resumed dialogue, we would also welcome a meeting of the 'Vienna Group' on the technical implementation of a revised arrangement for the supply of fuel to the TRR and would like to seize the expressed readiness of the IAEA Director General Y. Amano to convene such a meeting. We look forward to Iran's positive and constructive participation in this dialogue.

CHAPTER 76

EUPOL RD Congo – Council Decision

Brussels, 23 September 2010

Council decision 2010/576/CFSP on the European Union Police Mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28 and 43(2) thereof,

Whereas:

- (1) On 12 June 2007, the Council adopted Joint Action 2007/405/CFSP⁽¹⁾ establishing a European Union police mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo) (hereinafter referred to as ‘EUPOL RD Congo’ or ‘the Mission’).
- (2) On 23 June 2008, the Council adopted Joint Action 2008/485/CFSP⁽²⁾ amending and extending Joint Action 2007/405/CFSP until 30 June 2009.
- (3) On 15 June 2009, the Council adopted Joint Action 2009/466/CFSP⁽³⁾ amending and extending Joint Action 2007/405/CFSP until 30 June 2010.
- (4) On 14 June 2010, the Council adopted Council Decision 2010/329/CFSP⁽⁴⁾ amending and extending Joint Action 2007/405/CFSP until 30 September 2010.
- (5) EUPOL RD Congo should be continued for a further year until 30 September 2011.
- (6) The command and control structure of the Mission should be without prejudice to the contractual responsibility of the Head of Mission towards the Commission for implementing the budget of the Mission.

(1) OJ L 151, 13.6.2007, p. 46.

(2) OJ L 164, 25.6.2008, p. 44.

(3) OJ L 151, 16.6.2009, p. 40.

(4) OJ L 149, 15.6.2010, p. 11.

(7) The Watch-Keeping Capability established within the General Secretariat of the Council should be activated for the Mission.

(8) The Mission will be conducted in the context of a situation which may deteriorate and could harm the objectives of the Common Foreign and Security Policy (CFSP) as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The Mission

1. The European Union police mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (hereinafter referred to as ‘EUPOL RD Congo’ or ‘the Mission’), established by Joint Action 2007/405/CFSP, shall be extended for the period from 1 October 2010 to 30 September 2011.

2. EUPOL RD Congo shall operate in accordance with the Mission statement set out in Article 2 and shall carry out the tasks set out in Article 3. It shall operate without prejudice to DRC ownership of SSR.

Article 2

Mission statement

1. In order to improve the maturity and sustainability of the reform process of the Congolese National Police (PNC), EUPOL RD Congo shall assist the Congolese authorities in the implementation of the Police Action Plan, covering the priorities of the Police Reform process for the period 2010-2012, and building on the guidelines of the Strategic Framework. EUPOL RD Congo shall focus on concrete activities and projects to underpin its action at the strategic level of the reform process, on capacity building and on enhancement of the interaction between the PNC and the wider criminal justice system with a view to better supporting the fight against sexual violence and impunity. EUPOL RD Congo shall work in close coordination and cooperation with other Union, international and bilateral donors, with a view to avoiding duplication of efforts.

2. The particular objectives of the Mission shall be:

- (a) to support the overall SSR process at the strategic level in the Democratic Republic of the Congo (DRC) with a particular emphasis on the reform of the PNC and its interaction with the judiciary;
- (b) to support the implementation of the Police Reform and the improvement of the PNC operational capacity and accountability through mentoring, monitoring and advising (MMA) activities;
- (c) to enhance the knowledge and capacity of senior PNC officials, trainers and training systems, including through the provision of strategic training courses;
- (d) to support the fight against impunity in the field of human rights and sexual violence.

3. The Mission shall have a Project Cell for identifying and implementing projects. The Mission shall advise the Member States and third States and shall coordinate and facilitate, under their responsibility, the implementation of their projects in fields which are of interest to the Mission and in furtherance of its objectives.

Article 3

Mission tasks

In order to achieve its objectives, the tasks of EUPOL RD Congo shall be as follows:

1. to support the overall SSR process at the strategic level in DRC with a particular emphasis on the reform of the PNC and its interaction with the judiciary:
 - by supporting the work and evolution of the Police Reform Monitoring Committee (CSRP) and its Working Groups, including by providing assistance in the preparation of the relevant legal and sub-legal framework of the Police Reform in order to contribute to the finalisation of the conception work,
 - by contributing to and advising on the establishment and development of the bodies to be created for the Police Reform, contributing to their activities by providing specialist expertise in the most relevant domains for the implementation of Police Reform,
 - by contributing to the enhancement of the links between the Ministry of Interior and the Ministry of Justice with a view to increasing levels of cooperation and understanding between the two Ministries,
 - by participating in the activities of the Joint Justice Committee (Comité Mixte de Suivi du Programme Cadre de la Justice) and assisting, as appropriate, in the review of the criminal legal framework, while supporting, as appropriate, the Joint Defence Committee, with a view to supporting coherence and consistency among the different pillars of SSR,
 - by joining wider Union efforts and activities to support inter-ministerial coordination and coherence;
2. to support the implementation of the Police Reform and the improvement of the PNC operational capacity and accountability through MMA activities:
 - by advising on the design and implementation of an adequate organisational structure for the PNC and supporting data collection activities in order to establish a complete census of police officers,
 - by mentoring, monitoring and advising personnel, including by co-location if appropriate, in the technical directorates within the PNC Inspectorate and at Headquarters (HQ) to advise and assist in the implementation of the reform process and in the integration of all police services within one single institution. This task needs to be closely coordinated with the UN MONUSCO operation, taking into account their deployment across the Congolese territory,
 - by supporting the integration of the crime police (Police Judiciaire des Parquets) into the PNC, in order to help to establish an effective interface between the crime police and the prosecution service. The Mission will work towards this by advising as appropriate key actors in the field of criminal justice, in close coordination with the Commission and partners' programmes,
 - by supporting the newly created police audit service (Inspection Générale d'Audit) through efforts to strengthen its institutional and operational capacity in order to provide the citizens and authorities with a key instrument of democratic control over the police force,
 - by mentoring and advising the crime police in Kinshasa, especially through the Police de Recherche et d'Intervention, in improving its standards and its capability to effectively prevent and investigate crimes,
 - by supporting the implementation of the Police Action Plan in order to enable the PNC to have at its disposal, to the largest extent possible, the instruments, decision-making processes and means to guarantee a proper keeping of public order, while fully respecting the fundamental freedoms granted in the Constitution as well as the international human rights standards,
 - by helping the PNC to upgrade the coordination, coherence and flexibility of its decision-making process by supporting the reinforcement of the Command and Control Centre

- as well as the Operations Centre in Kinshasa, in close cooperation with other partners already working in this area,
- by contributing to the finalisation of a Community Policing (Police de proximité) concept and by participating in the pilot project of the Commissariat de Référence, with the aim of strengthening a confidence between the population and the police and of enhancing security both in objective terms and in the public perception;
3. to enhance the knowledge and capacity of senior PNC officials, trainers and training systems, including through the provision of strategic training courses:
- by assisting in the enhancement of training capabilities at the School for Crime Police Officers in Kinshasa,
 - by supporting the establishment and operation of the Police Academy in Kasapa, Lubumbashi, including logistics and equipment,
 - by supporting the professional development of senior PNC officials with a view to improving the leadership and management skills,
 - by undertaking an assessment of current PNC training needs and resources,
 - by contributing to the definition of the regulatory and educational framework for the start-up and operation of the Police Academy,
 - by developing and introducing PNC training manuals for basic and specific training,
 - by contributing to the institutionalisation of the Community Policing (Police de proximité) concept with training,
 - by participating in the selection and training of trainers for police,
 - by providing specialist training in areas that support the achievement of the objectives of the Mission;
4. to support the fight against impunity in the field of human rights and sexual violence:
- by assisting the relevant groups of the CSRP and of the implementation bodies of Police Reform,
 - by supporting the development of a coherent policy for the PNC and the Inspection Générale d’Audit against sexual violence,
 - by helping to create, and by monitoring and mentoring specialised units within the police to fight against sexual violence and crimes related to children as well as impunity, and increase their operationalisation through MMA activities,
 - by supporting the organisation of actions aimed at increasing the awareness of police officers of the problem of sexual violence and impunity,
 - by monitoring and following up PNC and judicial activities in this field, advising, as appropriate, relevant representatives of prosecution services, of military courts and of the crime police, in coordination with the other national and international key players;
5. Other tasks/Project Cell:
- to support the Commission as required, especially in its projects for an integrated system for human resources management and for the police census,
 - to identify and implement projects through the Project Cell to ensure proper use of designated funds from the CFSP budget for their implementation. The Project Cell personnel may also support Member States and third States at their request, within the Mission’s means and capabilities, by providing reinforced coordination and technical assistance for their own projects and under their own responsibility. All activities of the Project Cell are to be carried out within the Mission mandate and to complete the activities carried out by EUPOL RD Congo.

Article 4

Structure of the Mission

1. EUPOL RD Congo shall be structured as follows:
 - (a) HQ in Kinshasa. The HQ shall consist of the Office of the Head of Mission and of the HQ Staff, providing all necessary functions of advice at strategic and operational level, command and control, as well as mission and administrative support;
 - (b) Field Office. A Field Office shall be established in Goma. The nation-wide implications of the Mission mandate may also require in-country actions and possibly temporary presence (also for a longer term) of experts in other locations, still subject to security considerations.
2. The elements referred to in paragraph 1 shall be subject to further detailed arrangements in the Operation Plan (OPLAN).

Article 5

Civilian Operation Commander

1. The Director of the Civilian Planning and Conduct Capability (CPCC) shall be the Civilian Operation Commander for EUPOL RD Congo.
2. The Civilian Operation Commander, under the political control and strategic direction of the Political and Security Committee (PSC) and the overall authority of the High Representative of the Union for Foreign Affairs and Security Policy (HR), shall exercise command and control of EUPOL RD Congo at the strategic level.
3. The Civilian Operation Commander shall ensure proper and effective implementation of the Council decisions as well as the PSC decisions, including by issuing instructions at the strategic level as required to the Head of Mission and providing him with advice and technical support.
4. All seconded staff shall remain under the full command of the national authorities of the seconding State or Union institution concerned. National authorities shall transfer Operational Control (OPCON) of their personnel to the Civilian Operation Commander.
5. The Civilian Operation Commander shall have overall responsibility for ensuring that the Union duty of care is properly discharged.
6. The Civilian Operation Commander and the EU Special Representative (EUSR) shall consult each other on SSR issues and support at Region-wide level as required.

Article 6

Head of Mission

1. The Head of Mission shall assume responsibility for and exercise command and control of the Mission at theatre level.
2. The Head of Mission shall exercise OPCON over personnel from contributing States as assigned by the Civilian Operation Commander together with administrative and logistic responsibility, including over assets, resources and information placed at the disposal of the Mission.
3. The Head of Mission shall issue instructions to all Mission staff for the effective conduct of EUPOL RD Congo in theatre, assuming its coordination and day-to-day management, and following the instructions at the strategic level of the Civilian Operation Commander.
4. The Head of Mission shall be responsible for the implementation of the Mission budget. For this purpose, the Head of Mission shall sign a contract with the Commission.
5. The Head of Mission shall be responsible for disciplinary control over the staff. For seconded staff, disciplinary action shall be exercised by the national or Union authority concerned.

6. The Head of Mission shall represent EUPOL RD Congo in the operations area and shall ensure appropriate visibility of the Mission.

7. The Head of Mission shall coordinate, as appropriate, the actions of EUPOL RD Congo with other Union actors on the ground. The Head of Mission shall, without prejudice to the chain of command, receive local political guidance on SSR issues and support at Region-wide level from the EUSR.

Article 7

Staff

1. EUPOL RD Congo shall consist primarily of staff seconded by Member States or Union institutions. Each Member State or Union institution shall bear the costs related to any member of the staff seconded by it, including travel expenses to and from the place of deployment, salaries, medical coverage and allowances other than applicable daily allowances, as well as hardship and risk allowances.

2. International civilian staff and local staff shall be recruited on a contractual basis by the Mission if the functions required are not provided by personnel seconded by Member States. Exceptionally, in duly justified cases, where no qualified applications from Member States are available, nationals from participating third States may be recruited on a contractual basis, as appropriate.

3. All staff shall abide by the Mission-specific minimum security operating standards and the Mission security plan supporting the Union field security policy. As regards the protection of EU classified information with which members of staff are entrusted in the course of their duties, all staff shall respect the principles and minimum standards of security established by security regulations of the Council⁽⁵⁾.

Article 8

Status of the Mission and its staff

1. The status of the Mission and its staff, including where appropriate the privileges, immunities and further guarantees necessary for the completion and smooth functioning of the Mission, shall be agreed in accordance with the procedure laid down in Article 37 of the Treaty.

2. The State or Union institution having seconded a member of staff shall be responsible for answering any claims linked to the secondment, from or concerning the member of staff. The State or Union institution concerned shall be responsible for bringing any action against the seconded person.

3. The conditions of employment and the rights and obligations of international and local civilian staff shall be laid down in the contracts between the Head of Mission and the members of staff.

Article 9

Chain of command

1. EUPOL RD Congo shall have a unified chain of command, as a crisis management operation.

2. Under the responsibility of the Council and of the HR, the PSC shall exercise political control and strategic direction of EUPOL RD Congo.

(5) Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations (OJ L 101, 11.4.2001, p. 1).

3. The Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the HR, shall exercise command and control of EUPOL RD Congo at the strategic level and, as such, shall issue instructions to the Head of Mission and provide him with advice and technical support.
4. The Civilian Operation Commander shall report to the Council through the HR.
5. The Head of Mission shall exercise command and control of EUPOL RD Congo at theatre level and shall be directly responsible to the Civilian Operation Commander.

Article 10

Political control and strategic direction

1. The PSC shall exercise, under the responsibility of the Council and of the HR, political control and strategic direction of the Mission. The Council hereby authorises the PSC to take the relevant decisions in accordance with the third paragraph of Article 38 of the Treaty. This authorisation shall include the powers to appoint a Head of Mission, upon a proposal of the HR, and to amend the CONOPS and the OPLAN. The powers of decision with respect to the objectives and termination of the Mission shall remain vested in the Council.
2. The PSC shall report to the Council at regular intervals.
3. The PSC shall receive, on a regular basis and as required, reports by the Civilian Operation Commander and the Head of Mission on issues within their areas of responsibility.

Article 11

Participation of third States

1. Without prejudice to the decision-making autonomy of the Union and its single institutional framework, third States may be invited to contribute to the Mission, provided that they bear the cost of the staff seconded by them, including salaries, all risk insurance cover, daily subsistence allowances and travel expenses to and from DRC, and that they contribute to the running costs of the Mission, as appropriate.
2. Third States contributing to the Mission shall have the same rights and obligations in terms of day-to-day management of the Mission as Member States.
3. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the proposed contributions and to establish a Committee of Contributors.
4. Detailed arrangements regarding the participation of third States shall be covered by agreements concluded in accordance with Article 37 of the Treaty and additional technical arrangements as necessary. Where the Union and a third State conclude an agreement establishing a framework for the participation of that third State in Union crisis-management operations, the provisions of that agreement shall apply in the context of the Mission.

Article 12

Security

1. The Civilian Operation Commander, in coordination with the Council Security Office, shall direct the Head of Mission planning of security measures and ensure their proper and effective implementation for EUPOL RD Congo in accordance with Articles 5 and 9.
2. The Head of Mission shall be responsible for the security of the Mission and for ensuring compliance with minimum security requirements applicable to the Mission, in line with the Union policy on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, and its supporting instruments.

3. The Head of Mission shall be assisted by a Senior Mission Security Officer (SMSO), who shall report to the Head of Mission and also maintain a close functional relationship with the Council Security Office.
4. EUPOL RD Congo staff shall undergo mandatory security training before taking up their duties, in accordance with the OPLAN. They shall also receive regular in-theatre refresher training organised by the SMSO.
5. The Head of Mission shall ensure the protection of EU classified information in accordance with the Council security regulations.

Article 13

Watch-Keeping Capability

The Watch-Keeping Capability shall be activated for EUPOL RD Congo.

Article 14

Financial arrangements

1. The financial reference amount intended to cover expenditure related to the Mission for the period from 1 October 2010 to 30 September 2011 shall be EUR 6 430 000.
2. All expenditure shall be managed in accordance with the rules and procedures applicable to the general budget of the Union.
3. The Head of Mission shall report fully to, and be supervised by, the Commission regarding the activities undertaken in the framework of his contract.
4. Nationals of third States shall be allowed to tender for contracts. Subject to the Commission's approval, the Head of Mission may conclude technical arrangements with Member States, participating third States and other international actors regarding the provision of equipment, services and premises to EUPOL RD Congo.
5. The financial arrangements shall respect the operational requirements of the Mission, including compatibility of equipment and interoperability of teams of the Mission.
6. The expenditure shall be eligible as of the date of adoption of this Decision.

Article 15

Coordination

1. Without prejudice to the chain of command, the Head of Mission shall act in close coordination with the Union Delegation and EUSEC RD Congo to ensure the consistency of Union action in support of DRC.
2. The Head of Mission shall coordinate closely with Heads of the diplomatic missions of Member States.
3. The Head of Mission shall cooperate with other international actors present in the country, and work in close coordination with the UN MONUSCO.

Article 16

Release of classified information

1. The HR shall be authorised to release to the third States associated with this Decision, as appropriate and in accordance with the needs of the Mission, EU classified information and documents up to 'CONFIDENTIEL UE' level which are generated for the purposes of the Mission, in accordance with the security regulations of the Council.
2. The HR shall be authorised to release to the UN and OSCE, in accordance with the operational needs of the Mission, EU classified information and documents up to 'RESTREINT

UE' level which are generated for the purposes of the Mission, in accordance with the security regulations of the Council. Local arrangements shall be drawn up for this purpose.

3. In the event of a specific and immediate operational need, the HR shall be authorised to release to the host State any EU classified information and documents up to 'RESTREINT UE' level which are generated for the purposes of the Mission, in accordance with the security regulations of the Council. In all other cases, such information and documents shall be released to the host State in accordance with the appropriate procedures for cooperation by the host State with the Union.

4. The HR shall be authorised to release to the third States and international organisations referred to in paragraphs 1, 2 and 3, EU non-classified documents connected with the deliberations of the Council relating to the Mission and covered by the obligation of professional secrecy pursuant to Article 6(1) of the Rules of Procedure of the Council⁽⁶⁾.

Article 17

Review of the Mission

A review of the Mission shall be presented to the PSC every six months, on the basis of a report by the Head of Mission.

Article 18

Entry into force and duration

This Decision shall enter into force on the date of its adoption.
It shall apply from 1 October 2010 to 30 September 2011.

Done at Brussels, 23 September 2010.

For the Council

The President

S. Vanackere

⁽⁶⁾ Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35).

CHAPTER 77

Informal meeting of the Defence Ministers

Brussels, 24 September 2010

Remarks by HR Catherine Ashton at the informal meeting of EU Defence Ministers (Ghent, 23 and 24 September 2010)

Catherine Ashton, the High Representative of the Union for Foreign Affairs and Security Policy, made the following remarks by videoconference on 23 September:

‘Unfortunately I cannot be with you in person at the meeting, but I am nevertheless with you via videoconference from New York.

As an introduction to our debate, I want to make two points very clear:

- First: we need more co-operation in order to continue to deliver in a very difficult budgetary situation.
- Second: we need better and more comprehensive strategies for our CSDP missions.

The challenge is double – on the one hand we are faced with enormous pressure on public finances and defence budgets; I am fully aware that this is a hard time for you. On the other hand, there is a strong demand for the EU to be more active, present – there is a clear sense of this here in New York.

To meet these two challenges, we need to turn the crisis into an opportunity. We need to use possibilities offered by the Lisbon Treaty, develop new innovative ways of collaborating and mobilise the political will required.

In practice, this means that we should focus our spending on our agreed priorities. We need to explore ways of pooling and sharing. Our existing resources need to better fit our needs.

We must exploit the resources at EU level for joint research programmes. Many civilian programmes can also have military uses, like the Unmanned Aerial Vehicles for monitoring the EU’s external borders. There is great untapped potential here.

We must make better use of the European Defence Agency to develop new common projects, like the new project on mobile forensic laboratories.

Finally, we need greater complementarity with NATO; there are already promising avenues on how to counter roadside bombs and how to improve medical support. We need to pursue these, and open new ones.

Our tax payers will expect us to save money wherever we can, but also to continue to be ambitious and active in dealing with the conflicts and challenges that we are confronted with. I think we can rise to this challenge, but it means more work, new ideas, and strong political will.

The second point is about missions – we need better strategies for better missions. We need to aim for value for money and effective delivery on our objectives.

I would like to make three points:

- First, we need to live up to our commitments. We have taken political commitments and our credibility is at stake.
- Secondly, and related to this, we need better political strategies for these missions, which exploit the full range of military and civilian means at our disposal, which take our resource constraints into account and which include clear exit strategies. With the Lisbon Treaty and the European External Action Service, we have a chance to get it right. This is the idea behind the Treaty, now we need to translate this into practice.
- Third, we need to move forward on EU-NATO cooperation in crisis management. I have a mandate from the European Council to work on moving this forward. This is difficult, we know, but we cannot afford not to move forward.'

CHAPTER 78

Middle East Peace Process – Statement by Catherine Ashton

Brussels, 27 September 2010

Statement by HR Catherine Ashton on the Middle East Peace Talks

I have spoken with Senator George Mitchell and Quartet Envoy Tony Blair today on the latest developments regarding the Middle East peace talks and I will speak shortly to President Abbas and Prime Minister Netanyahu.

I regret the Israeli decision not to extend the moratorium on settlements. We are examining the consequences of this decision and consulting with the parties and our Quartet and Arab partners.

The Quartet welcomed Israel's moratorium and the positive atmosphere it created for the negotiations. Both Palestinians and Israelis have an obligation to act in accordance with previous agreements and obligations, including the Roadmap. The position of the EU is very clear: settlements are illegal under international law, constitute an obstacle to peace and threaten to make a two-state solution impossible.

I urge the parties to act responsibly. There is no alternative to a negotiated solution. Therefore, it is in everybody's interest to find a satisfactory way for the negotiations to continue and gather momentum. The EU stands firm on our full support to the goal of two states, Israel and Palestine, living side by side in peace and security, as part of a just and comprehensive peace. We will do whatever is possible to help both parties choose the path of peace and reach a successful outcome.

WMD – Council Decision

Brussels, 27 September 2010

Council decision 2010/585/CFSP on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU strategy against proliferation of weapons of mass destruction

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 26(2) and Article 31(1) thereof,

Whereas:

(1) On 12 December 2003, the European Council adopted the EU Strategy against Proliferation of Weapons of Mass Destruction ('the Strategy'), Chapter III of which contains a list of measures to combat such proliferation and which need to be taken both within the Union and in third countries.

(2) The Union is actively implementing the Strategy and is giving effect to the measures listed in Chapter III thereof, in particular through releasing financial resources to support specific projects conducted by multilateral institutions, such as the International Atomic Energy Agency (IAEA).

(3) On 17 November 2003, the Council adopted Common Position 2003/805/CFSP on the universalisation and reinforcement of multilateral agreements in the field of non-proliferation of weapons of mass destruction and means of delivery⁽¹⁾. That Common Position calls, *inter alia*, for the promotion of the conclusion of IAEA comprehensive safeguards agreements and Additional Protocols and commits the Union to work towards making the Additional Protocol and comprehensive safeguards agreements the standard for the IAEA verification system.

(4) On 17 May 2004, the Council adopted Joint Action 2004/495/CFSP on support for IAEA activities under its Nuclear Security Programme and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction⁽²⁾.

(1) OJ L 302, 20.11.2003, p. 34.

(2) OJ L 182, 19.5.2004, p. 46.

(5) On 18 July 2005, the Council adopted Joint Action 2005/574/CFSP on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction⁽³⁾.

(6) On 12 June 2006, the Council adopted Joint Action 2006/418/CFSP on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction⁽⁴⁾.

(7) On 14 April 2008, the Council adopted Joint Action 2008/314/CFSP on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction⁽⁵⁾.

(8) The strengthening of the control of high-activity radioactive sources in accordance with the G-8 statement and Action Plan on securing radioactive sources, adopted at the 2003 Evian Summit, remains an important objective for the Union, which will be pursued through outreach to third countries.

(9) In July 2005, the States Parties and the European Atomic Energy Community agreed by consensus to amend the Convention on the Physical Protection of Nuclear Material (CPPNM) with a view to expanding its scope to encompass nuclear material and facilities in peaceful domestic use and storage, as well as in transport, and to oblige States Parties to make violations subject to criminal sanctions.

(10) In September 2005, the International Convention for the Suppression of Acts of Nuclear Terrorism was opened for signature. Upon its entry into force, it will require States Parties to enact legislation to criminalise these offences.

(11) The IAEA pursues the same objectives as set out in Recitals (3) to (10). This is done through the implementation of its Nuclear Security Plan, which is financed entirely through voluntary contributions to the IAEA Nuclear Security Fund.

(12) On 12-13 April 2010, the Union participated in the Nuclear Security Summit, convened by the President of the United States of America, and committed to further enhancing its efforts aimed at strengthening nuclear security and to assist third countries in this regard.

(13) In order to help address the specific challenges in the field of nuclear security and non-proliferation in Asian countries, due in particular to the growing number of nuclear applications in the region, inter alia in the field of medicine, agriculture and water, as well as nuclear research, this Decision should specifically support IAEA activities in South East Asia. This should take into account the increasing role of Asia as a partner to the Union in the field of security. Particular emphasis should be given to the strengthening of nuclear safety and security in non-energy nuclear applications in eligible countries,

HAS ADOPTED THIS DECISION

Article 1

1. For the purposes of giving immediate and practical implementation to certain elements of the EU Strategy against Proliferation of Weapons of Mass Destruction ('the Strategy'), the Union shall support the IAEA's activities in the areas of nuclear security and verification in order to further the following objectives:

(3) OJ L 193, 23.7.2005, p. 44.

(4) OJ L 165, 17.6.2006, p. 20.

(5) OJ L 107, 17.4.2008, p. 62.

- (a) to achieve progress towards the universalisation of international non-proliferation and nuclear security instruments, including comprehensive safeguards agreements and the Additional Protocol;
 - (b) to enhance the protection of proliferation-sensitive materials and equipment and the relevant technology, providing legislative and regulatory assistance in the area of nuclear security and safeguards;
 - (c) to strengthen the detection of and response to illicit trafficking in nuclear and other radioactive materials.
2. The projects of the IAEA, corresponding to measures of the Strategy, are the projects which aim at:
- (a) strengthening national legislative and regulatory infrastructures for the implementation of relevant international instruments in the areas of nuclear security and verification, including comprehensive safeguards agreements and the Additional Protocol;
 - (b) assisting States in strengthening the security and control of nuclear and other radio-active materials;
 - (c) strengthening States' capabilities for the detection of and response to illicit trafficking in nuclear and other radioactive materials.

Those projects shall be carried out in countries needing assistance in those areas after an initial assessment carried out by an expert team.

A detailed description of the projects is set out in the Annex.

Article 2

1. The High Representative of the Union for Foreign Affairs and Security Policy (the 'HR') shall be responsible for the implementation of this Decision.
2. The projects referred to in Article 1(2) shall be carried out by the IAEA as implementing entity. It shall perform this task under the control of the HR. For this purpose, the HR shall enter into the necessary arrangements with the IAEA.

Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 9 966 000, to be funded from the general budget of the Union.
2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.
3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 1, which shall take the form of a grant. For this purpose, it shall conclude a financing agreement with the IAEA. The financing agreement shall stipulate that the IAEA is to ensure visibility of the Union's contribution, appropriate to its size.
4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the financing agreement.

Article 4

The HR shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the IAEA. These reports shall form the basis for the evaluation by the Council. The Commission shall provide information on the financial aspects of the implementation of the projects referred to in Article 1(2).

Article 5

This Decision shall enter into force on the day of its adoption.

It shall expire 24 months after the date of the conclusion of the financing agreement between the Commission and the IAEA or 12 months after the date of its adoption if no financing agreement has been concluded before that date.

Done at Brussels, 27 September 2010.

For the Council

The President

K. Peeters

CHAPTER 80

United States – Remarks by Catherine Ashton

Brussels, 30 September 2010

Remarks made by Catherine Ashton at press conference with U.S. Secretary of State Hilary Clinton – Washington, 29 September 2010

It's a great privilege to be back in Washington. And as you describe, we've spent a lot of time over these last months talking with each other, and our teams talking sometimes on an hourly basis about all of the different issues that we face.

For me, my focus for the rest of today and tomorrow is going to turn to the Middle East. Having been in discussion with the secretary and with Senator Mitchell, I will travel overnight through Europe to the Middle East to have meetings with Senator Mitchell, President Abbas, Prime Minister Netanyahu and Prime Minister Fayyad to see what we can do to support the efforts to keep the talks moving.

More than anything, we would like to see of course the moratorium on settlement building continue, but we are very keen to see the opportunity for President Abbas to stay in the talks and for them to move forward to a successful conclusion. So we'll be doing what we can to do, our part in that, and also talking about the work we've been doing to support the building of the Palestinian state, which is an imperative if we're going to see success of the outcome of the talks.

As the secretary said, we talked about a number of different issues.

Iran, very important at the moment. We have sent our messages very clearly that we are ready for dialogue, with the aim of seeking a resolution to this. We await Iran formally coming back to us to say they would wish to start that dialogue, and we're ready when they say so to do that. Everyone here knows how important it is to find a resolution to that problem, and I hope that we will see some movement as quickly as possible.

And, too, of course, in the Balkans, a number of issues that concern us. We want to see the movement forward with Serbia and Kosovo. The importance of what President Tadic did with the resolution and what Prime Minister Thaci did to support that is well recognized by the USA and by the EU, and that's very significant as a way through for the future.

It's incredibly important in moving forward with Belgrade and Pristina that we are working together. And that is a message that we have said to President Tadic, Prime Minister Thaci when I met with them last week, that we need to all engage in this process, and to be, as we are, constructive in our dialogue to try and find the way forward – which, as you know, I believe for both is a European future.

But more than anything, an opportunity for us to carry on collaborating, to think about the big challenges of the future, of which Pakistan, and a comprehensive approach to its problems will be perhaps one of the big focal points for both of us in the coming weeks and months.

Footnote:

HR/VP Ashton, will travel to the Middle East on Thursday (September 30). During her two-day visit HR/VP Ashton will meet the key interlocutors including Israeli Prime Minister Benjamin Netanyahu, Palestinian President Mahmoud Abbas, Prime Minister Salam Fayyad, Minister of Defence Ehud Barak and US Special Envoy for Middle East Peace George Mitchell.

CHAPTER 81

EU-Republic of Korea Summit

Brussels, 6 October 2010

Joint press statement

The Fifth Summit between the European Union and the Republic of Korea took place in Brussels on 6 October 2010. The European Union (EU) was represented by Mr. Herman Van Rompuy, President of the European Council and Mr. José Manuel Barroso, President of the European Commission. The Republic of Korea (RoK) was represented by President Lee Myung-bak.

The EU and Korean leaders held a friendly, productive and successful Summit. They expressed their satisfaction with the positive development of the overall relationship, which is based on shared values and common global interests. They warmly welcomed the signature of the EU-Korea Free Trade Agreement immediately prior to the meeting as well as the signature of a new Framework Agreement in May. They heralded these important steps forward in EU-Korea relations, noting that the FTA will bring major benefits to economic operators and to consumers, as well as sending a strong message that trade liberalisation is a key element for the recovery of the world economy. As regards the Framework Agreement, they noted that this will provide a basis for strengthened EU-Korea cooperation on key global challenges such as climate change and development assistance. In line with discussions at the fourth Republic of Korea-EU Summit on 23 May 2009, leaders agreed to upgrade relations to a strategic partnership.

Leaders stressed the importance of G20 actions in securing the global economic recovery, strengthening financial regulation and supervision and laying the foundation for strong, sustainable and balanced growth, as well as the present role played by Korea as host of the upcoming G20 in November 2010. They confirmed their readiness to do their part to achieve the shared objectives set out in the G20 Framework for Growth. They also agreed on the importance of trade for economic recovery, and the need to ensure an urgent conclusion of the WTO Doha Development Agenda. Leaders stressed the need for political leadership in reaching an ambitious, balanced and comprehensive outcome, based on the progress already made.

Leaders stressed that both the EU and the Republic of Korea will keep pursuing a high level of ambition to tackle climate change challenges by striving for a reduction of green house gas emissions commensurate with their level of economic development and pursue low carbon green growth and become low carbon economies. They agreed that adaptation to and mitigation of climate change remains a key global challenge, and will require supportive energy policies. Leaders stressed the importance of market based mechanisms to achieve emission reductions and noted that the EU's experiences with emissions trading scheme is a useful example in this respect. Cooperation should focus on financing mechanisms as well as on support to green growth and clean development in third countries. Integrating the agreements contained in the

Copenhagen Accord into the UNFCCC negotiating texts will be critical to advance the negotiation for the United Nations Climate Change Conference at the end of 2010.

The leaders reaffirmed the importance of strengthening the multilateral Treaty system on non-proliferation and disarmament. They welcomed the successful outcome of the 2010 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons. The EU and the RoK expressed their deep concern over the Iranian nuclear programme and underlined the need for all countries to fully implement United Nations Security Council Resolution 1929 with a view to finding a negotiated solution. The two sides will work together to ensure success of the Nuclear Security Summit which the RoK will host in 2012.

Leaders discussed the situation on the Korean Peninsula. Both the EU and the RoK acknowledge the Statement by High Representative Catherine Ashton of 20 May, and align themselves with the unanimous UNSC Presidential Statement of 9 July condemning the attack which led to the sinking of the 'Cheonan' and underscoring the importance of preventing further such attacks or hostilities against the RoK or in the region. The leaders consider the DPRK's nuclear weapons and missile programmes a serious threat to regional and global peace and security, and continue to urge the DPRK to comply with its international obligations in particular, by abandoning all nuclear weapons and existing nuclear programs in a complete, verifiable, and irreversible manner in accordance with relevant UN Security Council resolutions. They reiterated support for the Six-Party Talks as a viable framework for the peaceful and comprehensive resolution of the North Korean nuclear issue and underlined the importance of the full implementation of relevant UN Security Council resolutions. Leaders called for constructive and sincere inter-Korean dialogue as an essential element in building peace and stability on the Korean Peninsula.

The RoK and the EU also welcomed the outcome of the ASEM 8 Summit and recognised the importance of the ASEM process.

Annexe – Statement by Catherine Ashton on 20 May 2010

I have taken note with great concern of the results of the investigation, conducted by the authorities of the Republic of Korea with the participation of international experts, into the causes of the sinking of the Cheonan on 26 March, with the loss of 46 lives.

In the name of the EU, I take this opportunity once again to convey our condolences to the families of the victims and to the Korean authorities.

The findings of the investigation are extremely disturbing, in particular the evidence presented of North Korean involvement. Based on these findings, I strongly condemn this heinous and deeply irresponsible action.

I commend the restraint which the government of the Republic of Korea has shown in a tense situation of national grief and outrage.

The EU will consult closely with the Korean authorities and other interested parties on the appropriate response to the findings of the report.

In the face of this latest setback, I call on all countries concerned to step up efforts to promote lasting peace and security on the Korean Peninsula.

CHAPTER 82

AMANI Africa Exercise

Brussels, 7 October 2010

Within the framework of the EU-Africa partnership on Peace and Security, a Command Post Exercise (CPX) will be held in Addis Ababa, Ethiopia, from 13 to 29 October 2010.

Called AMANI Africa, this exercise will train and engage the structures within the Africa Union (AU) to deal with possible crisis. The overall objective of Amani Africa is to assist the AU to train, develop and evaluate the continental decision making processes in accordance with AU doctrine and procedures. More specifically, the execution of this exercise will train and evaluate AU capabilities to plan and conduct a peace support operation.

Approximately 120 civilian, police and military personnel coming from the AU and from the regions¹ will participate delivering an integrated approach and emphasizing the role of both the continent and the regions. The EU (core planning team) and several EU Member States will be assisting, facilitating and advising throughout the entire exercise. Other International Organisations (United Nations, NATO, International Committee of the Red Cross) and NGO's will further enhance the structures and ensure the multidimensionality to meet the reality of real life peace support operations.

The operational results achieved by Amani Africa will be presented at AU-EU summit which will be held in November 2010.

Background:

At the Lisbon summit, in December 2007, the Heads of States and Governments of the EU adopted a joint Africa-EU Strategy which identifies eight partnerships for cooperation.

Among these partnerships, the partnership on Peace and Security aims to ensure support for the establishment and functioning of the African Peace and Security Architecture (APSA) and to promote long-term capacity building, including military and civilian crisis management and coherent and coordinated support for the African Standby Forces (ASF). The partnership on Peace and Security identifies several action points among which the AMANI Africa training cycle. The AMANI Africa cycle was officially launched in November 2008 at the Ministerial Troika in Addis Ababa. The cycle has already achieved a number of successes: a reinforcement in personnel, additional equipment and a growing capacity to plan and conduct a peace support operation. The CPX will further provide lessons and recommendations that will contribute to the further development of AU capabilities.

1. North African Regional Capability (NARC), Economic Community Of West African States (ECOWAS), Eastern African Standby Brigade Coordination Mechanism (EASBRICOM), Economic Community of Central African States (ECCAS), Southern African Development Community (SADC).

CHAPTER 83

2nd High level Conference on maritime piracy

Brussels, 7 October 2010

Opening remarks made by HR Catherine Ashton at second high level ministerial conference on maritime piracy in Mauritius

Your Excellency, Prime Minister of Mauritius

Ministers, Secretary Generals, Ladies and Gentlemen,

Thanks: to the Mauritian Government for hosting this meeting. IOC (Indian Ocean Commission) and COMESA (Common Market for Eastern and Southern Africa) for taking the lead in preparing the substance of our discussions today.

Piracy is an international scourge affecting all of our shipping and also for instance aid efforts in the region.

We are partners in finding a solution to this problem – the conference here today is testament to that.

We are already doing a lot at sea and today taking important step – launching a regional maritime strategy.

Still: clear that the root causes of piracy lies on land, in the continued instability of Somalia. The EU is the top donor for development and reconstruction assistance to Somalia. 87 projects with funding amounting to about 200 million euro are in place throughout Somalia.

The EU rule of law and security programme shows our commitment to contribute to efforts tackling the root causes of piracy on land.

EU will continue to provide strong support to Somalia – including in Somaliland and Puntland. The international community must make every effort to assist Somalia in reestablishing peace, security and rule of law and to create the conditions for economic growth.

However, in the meantime we cannot ignore the serious problems piracy is causing to stability, security and economic and social development of the region and we must take determined action against it.

EU leading international efforts against piracy off the coast of Somalia with Atalanta operation. But prevention is not enough. Impunity only encourages criminal activity. We are therefore also closely cooperating with a number of countries in the region on prosecution and detention of captured pirates.

We are also reaching out to more countries asking them to share the burden in these efforts. A sustainable solution requires regional ownership and responsibility. Regional approach important – first meeting in the Seychelles in May of this year is already bearing fruits.

The region has come together in an unprecedented way to develop a joint approach to tackle piracy. The EU attaches great importance to this initiative and will assist you.

Your initiative demonstrates determination, ownership, solidarity and intra-regional burden sharing. A regional strategy would ideally build on and complement already existing initiatives and frameworks such as the Djibouti Code of Conduct, combining national and regional activities in a coherent framework.

Such a coherent regional framework would:

- facilitate cooperation and burden-sharing in the region, and
- ideally provide a regional political framework to support national action.

We need to act fast in implementing the new regional strategy and action plan. We are ready to assist you to make this happen.

I commend the region for the work already undertaken, in particular at the Seychelles workshop, and I welcome that the COMESA Summit in August endorsed this regional approach.

This is a solid platform to build upon. Thanks to colleagues at the technical and senior officials level who worked yesterday and the day before yesterday to provide us with a good strategy and action plan to consider today.

I thank you all for your attention and wish us a productive day.

Joint communiqué from the Eastern and Southern Africa – Indian Ocean Ministers and European Union High Representative at the 2nd regional ministerial meeting on piracy and maritime security in the Eastern and Southern Africa and Indian Ocean Region

The ESA-IO Ministers and Representatives of the Republic of Comoros, the Republic of Djibouti, the Republic of Kenya, the Republic of Mauritius, the Republic of Seychelles, the Somali Republic, the Republic of South Africa, the United Republic of Tanzania, and the EU High Representative and Vice President of the European Commission Baroness Catherine Ashton meet at Grand Bay, Mauritius on the 7th October 2010. Republic of France/Réunion also attended the meeting as a member of IOC.

In attendance are: COMESA, EAC, IGAD, IOC and SADC. In addition to the Minister of the Republic of Maldives, representatives of the following countries and organisations were also present: People's Republic of China, India, Pakistan, Russian Federation and the US, UN, AU, INTERPOL, IONS.

The Ministers:

- express deep concern over the persistent scourge of piracy, particularly its impact on peace, security, stability and maritime security, its links to transnational organised crime, as well as its possible links to terrorist activities and the challenges it poses to private sector development, regional and international trade, economic integration and development;
- note the relevant UN Security Council Resolutions, the Press Statement issued during the 242nd meeting of the African Union Peace and Security Council, the African Maritime Transport Charter and Plan of Action, the AU Durban Resolution and Plan of Action on Maritime Transport, the Djibouti Code of Conduct the International Maritime Organization's resolution A.1002 (25), the UN Secretary-General's report on Somalia with the 7 options mentioned in it, and the important work undertaken by the UN Contact Group on Piracy off the coast of Somalia;
- also further note of the COMESA, EAC, IGAD and IOC policy organs' decisions to counter piracy and for which they have undertaken to strengthen bilateral, regional and international cooperation for comprehensively combating piracy and promoting maritime security;
- recalling the Joint Communiqué of the 1st Regional Ministerial Meeting and the European Union High Representative in Seychelles in May 2010 and its commitment to strengthening dialogue and cooperation to suppress maritime piracy in the Indian Ocean region, acknowledge that substantive work has been done since then, especially through the International Symposium and the Regional Workshop in Seychelles in July 2010 to enhance domestic action plans and to develop a comprehensive, coherent and sustainable Regional Strategy and a rolling Regional Plan of Action against piracy and for maritime security;
- also acknowledge with appreciation the endorsement by the COMESA Summit of the Action Plan for the fight against Piracy and that IGAD is formulating a specific plan of Action for Inland Somalia;
- recognise the crucial role of the European Union Atalanta Operation, States of the region, and other naval forces in combating piracy and particularly commended Kenya and Seychelles as prosecuting States, and encouraged others to engage;
- consider and adopt a Regional Strategy (RS) which provides for a regional framework to prevent and combat piracy, and promote maritime security through a three-pillar approach:
 - i. Develop, agree and implement a Somalia Inland Action Plan to counter and prevent piracy;
 - ii. Encourage States of the region to undertake prosecution of pirates apprehended in the region with the financial and technical support of the international community;
 - iii. Strengthen capacities of States of the region to secure their maritime zones.
- adopt a rolling Regional Plan of Action (RPA) underpinning the Regional Strategy which encompasses exchange of information, cooperation, joint action, and capacity-building as cross-cutting principles;
- agree that the ESA-IO configuration, which includes Member States and RECS of the region, will be used as Regional Coordination Mechanism for the timely and effective implementation and follow-up of the Regional Strategy and Regional Plan of Action. The Inter-Regional Coordination Committee (IRCC) shall serve as the secretariat of this Regional Coordination platform. This may take the form of an annual ESA-IO Regional Ministerial Meeting against Piracy (ERMMP) and would also include participation from key stakeholders;

- further agree that the Regional Strategy and its Regional Plan of Action, which are complementary to the AU African Maritime Transport Charter, provide additional basis for strengthening cooperation with the international partners such as the UN and EU, in political dialogue and collaboration in the fight against piracy and for maritime security;
- request the international partners, especially the EU, to provide the necessary support and agreed that the Regional Organisations and Member States of the ESA-IO region follow-up on the Communiqué through the Network of Contact Points on Piracy;
- decide to remain seized with the matter, called upon other partners to collaborate with the region to identify sustainable solutions on piracy and for maritime security.

The EU HR/VP Baroness Ashton welcomes the ESA-IO region's determination to work together in a spirit of solidarity and burden sharing and reiterated the strong commitment of the EU to cooperate with the region in support of the ESA-IO Regional Strategy and Regional Plan of Action in collaboration with the other international partners.

Adopted on the 7th October 2010 at Grand Bay, Mauritius.

CHAPTER 84

EUMM Georgia

Brussels, 18 October 2010

Statement by HR Catherine Ashton on the removal of the Russian checkpoint from the village of Perevi in Georgia

I welcome the removal of the Russian checkpoint in Perevi, Georgia, as announced at the 13th round of Geneva International Discussions on 14 October, and see it as a positive development on the ground. I look forward to further progress towards the full implementation of the EU-brokered Six Point Agreement of 12 August 2008 and its Implementing Measures of 8 September 2008.

Monitors from the EU Monitoring Mission (EUMM) have confirmed that the Russian checkpoint was dismantled on 18 October. EUMM has been liaising with Russian and Georgian authorities to ensure that the withdrawal is carried out in an orderly and peaceful manner.

The EU remains fully committed to a peaceful resolution of the conflict. I call on all parties to make real efforts towards further normalisation on the ground and to continue engaging in dialogue as the only means to address the consequences of the conflict, including the humanitarian situation.

CHAPTER 85

3rd EU PSC and AU PSC Meeting

Brussels, 18 October 2010

Press statement of the 3rd joint consultative meeting between the EU PSC and the AU PSC

- (1) The Political and Security Committee of the European Union and the Peace and Security Council of the African Union held their 3rd Joint Consultative Meeting in Brussels.
- (2) They discussed the issues of **Conflict Prevention and Crisis Situations**, where they called on the Sudanese parties to remain committed to and implement the Comprehensive Peace Agreement and to make progress regarding the conduct of the referenda in Abyei and South Sudan. Both sides emphasised the importance of these processes being credible and timely and stressed that the negotiations on the post-referendum arrangements should be pursued in good faith. They encouraged cooperation between their respective electoral observation missions for the referenda and to work together on the post referendum issues. Both sides called on the parties to respect the outcome of the referenda. An inclusive settlement on Darfur in Doha and other processes such as the Darfur -Darfur-Dialogue needs to be reached without any further delay and unhindered access for humanitarian aid needs to be guaranteed. Both sides reconfirmed their common resolve to fight impunity and encouraged all efforts to bring peace, reconciliation and justice to Darfur, pledging their full support to the work and the efforts of the AU High Level Implementation Panel for Sudan.
- (3) Both sides welcomed the appointment of the AU High Representative for Somalia and looked forward to the relocation of civilian components of AU and UN to Mogadishu. The meeting agreed to urgently follow up on the outcome of the 245th meeting of the AU PSC held on 15 October 2010 and concurred in calling upon the Somali political leadership to improve the functioning of the Transitional Federal Institutions (TFIs) and advance political dialogue through an inclusive process. They underscored the importance of strengthening AMISOM and of the building up of Somali security forces alongside a reinvigorated political approach within the framework of the Djibouti process. In this context, they welcomed the contribution of the EU Training Mission. They agreed to seek increased engagement with the regions of Somaliland and Puntland within the framework of the Transitional Federal Institutions.
- (4) On the issue of **Maritime Safety and Security (MSS)**, both sides welcomed African efforts in coming up with regional solutions to counter piracy and look forward to the setting up of a continental framework for an integrated MSS Strategy for Africa in line with the conclusions of the workshop on maritime security and safety held in Addis Ababa in April 2010. They welcomed in particular the initiative of the second regional ministerial meeting on piracy and maritime security in the Eastern and Southern Africa-Indian Ocean region. On Somalia, both

sides agreed to explore ways to step up coherence in efforts of maritime safety and security on sea and to stabilize Somalia on shore.

(5) Regarding the **Peace and Security Partnership** both sides welcomed the progress made in the elaboration of the Action Plan 2011-13 under the Joint Africa -EU Strategy. They stressed the need to reinforce co-operation in crisis management and peace-building, in close co-ordination with the UN, also recalling the UNSC resolution 1325 on the role of women in peace and security. To this effect, they welcomed the efforts made by the AU and Regional Economic Communities to prepare a forward-looking roadmap for the operationalisation of the African Peace and Security Architecture, as well as the ongoing first AU-organised AMANI Africa exercise.

(6) Both sides agreed on the importance of a strengthened **AU-EU coordination in situations of security and governance crises**. Concerned by the growing transnational challenges such as terrorism, organized crime and trafficking of all kind, including insecurity in the Sahel region, they agreed on the need to assist the efforts of the countries in the region within the framework of a concerted and comprehensive strategic approach. The AU and the EU further stressed the importance of the second presidential round in Guinea scheduled for 24 October 2010 and agreed to cooperate as regards their respective electoral observation missions. Regarding Madagascar, both sides reaffirmed their support to the AU mediation, called for a more inclusive and consensual dialogue and for a rapid return to the constitutional order.

(7) Finally, both sides agreed to **improve their working methods**, notably in view of establishing regular contacts between both Chairs of the EU and AU PSC. In the context of unconstitutional changes of government, they underlined the importance of enhancing the effectiveness of International Contact Groups as well as of examining the possibility of joint EU-AU declarations/demarches and of coordination concerning the implementation of sanctions.

(8) Both sides agreed to meet again in Addis Ababa in 2011.

CHAPTER 86

General Affairs Council

Luxembourg, 25 October 2010

European External Action Service

The Council approved draft financial and staff regulations applicable to the European External Action Service, as agreed with the European Parliament at a meeting on 14 October and approved by the Parliament on 20 October.

It will adopt the two regulations without further discussion at a forthcoming Council session, once the texts have been finalised.

The two texts are the last of the legal acts necessary for making operational the European External Action Service, one of the most significant changes introduced by the Treaty of Lisbon, which entered into force last December.

High Representative Catherine Ashton announced the appointment of Pierre Vimont as Executive Secretary-General and David O'Sullivan as Chief Operating Officer of the EEAS.

Aimed at making the EU's external action more coherent and efficient, the EEAS will assist the High Representative in fulfilling her mandate. It will work in cooperation with the diplomatic services of the member states and comprise officials from relevant departments of the General Secretariat of the Council and of the Commission, as well as staff seconded from the national diplomatic services of the member states.

CHAPTER 87

Foreign Affairs Council

Luxembourg, 25 October 2010

Sahel

The Council discussed the situation in the Sahel region and the security risks it poses, both within the region and for Europe, as well as the role that the EU could play in helping to stabilise the region.

The Council also adopted the following conclusions:

‘1. As the Council emphasised in its conclusions of 27 October 2009 and its declaration of 26 July 2010, the development of cross-border threats such as terrorism and organised crime, coupled with extreme poverty, unresolved internal conflicts and the weakness and fragility of the States concerned, constitutes a growing challenge for the stability of the region and for the European Union. These threats directly affect the local populations and States of the region, particularly Mauritania, Mali and Niger. They also have an impact on the security of European nationals.

2. In close cooperation with the States of the region, the United Nations, the African Union and other international partners, and in support of the efforts already undertaken by the Sahel States, the European Union, following up the work being done by the Commission and the Council Secretariat to formulate a holistic and integrated approach, intends to make use of various instruments at its disposal in a coherent way to foster security, stability, development and good governance in the Sahel-Saharan strip. The EU is also encouraging the strengthening of dialogue and cooperation between the countries of the region.

3. To this end, the Council invites the High Representative of the Union for Foreign Affairs and Security Policy, in association with the Commission, to draw up a strategy on the Sahel for the beginning of next year for examination by the Council.’

Belarus

(...)

The Council also adopted the following conclusions:

‘1. The Council reiterates the importance of the EU’s critical engagement policy towards Belarus and notes the continuation of high-level EU-Belarus political dialogue, the intensified technical cooperation and participation of Belarus in the Eastern Partnership, as ways of building mutual understanding and creating opportunities to address issues of concern. Recognising the importance of enhanced people-to-people contacts and recalling the Council Conclusions

of 17 November 2009, the Council looks forward to receiving Commission proposals for the negotiating directives for visa facilitation and readmission agreements with Belarus.

2. The Council reaffirms its readiness to deepen its relations with Belarus depending on developments in Belarus towards democracy, human rights and the rule of law as well as its readiness to assist the country in attaining these objectives. Subject to progress in Belarus in these areas, it stands ready to take steps towards upgrading contractual relations with Belarus. The Council will continue its discussions on a joint interim plan to set the priorities for reforms, inspired by the Action Plans developed in the framework of the European Neighbourhood Policy, to be implemented with Belarus. The EU could consider providing macro-financial assistance to Belarus, should the necessary preconditions be met, including the conclusion of a new program with the IMF.

3. Nevertheless, the Council remains concerned over the democracy and human rights situation in Belarus. It deeply regrets the lack of progress in the areas expressed in its previous conclusions, including the need for further reforms of the Electoral Code, the freedom of expression and of the media, the freedom of assembly and association. The Council looks forward to further rounds of Human Rights dialogue. Recalling the European Union's firm opposition to the death penalty, the Council deplores the execution of two Belarusian citizens carried out in March 2010, regrets the recent death sentences in Belarus and continues to urge Belarus to introduce a moratorium on the use of death penalty with a view to its abolition.

4. In the light of this situation, the Council is not able to lift the restrictive measures in place against certain officials of Belarus and therefore decides to extend them until 31 October 2011. However, in order to encourage progress in the areas identified by the EU, the Council decides at the same time to extend the suspension of the application of the travel restrictions until the same date. At the end of that period, the Council will review the restrictive measures in the light of the situation in Belarus. The Council may decide to reapply or lift travel restrictions at any time, in light of actions by the Belarusian authorities in the sphere of democracy and human rights.

5. The EU will continue to provide support to Belarus' civil society in order to promote the development of a pluralistic and democratic environment in Belarus.

6. The Council takes note of the announcement that presidential elections in Belarus will take place on 19 December 2010. It calls on the Belarusian authorities to ensure that the elections are conducted in line with international norms and standards for democratic elections and Belarus' commitments in the OSCE and the UN. The Council welcomes the decision by the Belarusian authorities to invite an OSCE/ODIHR-led international election observation mission and invites the Belarusian authorities to fully cooperate with the OSCE-ODIHR. It also urges the responsible Belarusian authorities to fully implement the recommendations repeatedly made by the OSCE/ODIHR. The EU will closely monitor the developments and assess the situation after the elections. Clear and visible progress in the conduct of the elections would give new impetus to the European Union's engagement policy towards Belarus.'

Bosnia and Herzegovina - Council conclusions

The Council adopted the following conclusions:

‘BOSNIA AND HERZEGOVINA

1. The Council welcomed the increased turnout and the orderly conduct of the 3 October elections in Bosnia and Herzegovina, which, according to the preliminary assessment of the OSCE/ODIHR and their International Election Observation Mission, were generally in line with international standards.
2. The EU reiterated its unequivocal commitment to the European perspective of Bosnia and Herzegovina. It also reaffirmed its unequivocal commitment to the territorial integrity of Bosnia and Herzegovina as a sovereign and united country.
3. Fifteen years after the signature of the Dayton-Paris Peace Agreements, Bosnia and Herzegovina’s citizens deserve a qualitative step forward of their country on the path towards European integration.
4. The political leaders need now to engage constructively in a political dialogue and form new governments that will have the EU agenda at the heart of their programme.
5. The political leaders have the prime responsibility to achieve concrete and tangible progress, including on the road towards EU integration, in a spirit of compromise and collective constructive action, while refraining from divisive rhetoric and actions that would harm the interests of citizens of Bosnia and Herzegovina. Bosnia and Herzegovina has already shown that it is able to deliver on commitments when the political will is there. The EU stands ready to offer its support for the urgently needed reforms, including through its future reinforced presence. Bosnia and Herzegovina cannot afford to lose more time.
6. Reiterating its support to the objective of visa liberalisation on the basis of fulfilment of all benchmarks and recalling the European Parliament’s vote on this issue on 7 October, the Council underlined its intention to take a decision on 8 November.
7. Recalling its Conclusions of 25 January on Operation ALTHEA, the Council confirmed the EU’s commitment to a continuing executive military role to support Bosnia and Herzegovina’s efforts to maintain the safe and secure environment, under a renewed UN mandate; and, building on Althea’s achievements, to the continuing provision of non-executive capacity-building and training support in order to contribute to strengthening local ownership and capacity. The Council agreed to keep the operation under regular review, including on the basis of the situation on the ground.’

Republic of Moldova – Council conclusions

The Council adopted the following conclusions:

1. The Council acknowledges the European aspirations of the Republic of Moldova and welcomes its efforts towards political association and economic integration with the European Union. It underlines the very positive dynamics in EU-Republic of Moldova relations during the last year as well as the active contribution of the Republic of Moldova to it.
2. The Council welcomes interest and active participation of the Republic of Moldova in the Eastern Partnership. It expresses satisfaction that negotiations on the future EU-Republic of Moldova Association Agreement are making very good progress. The Council also welcomes

the ratification of the Rome statute of the International Criminal Court by the Republic of Moldova.

3. The Council welcomes the achievements of the Republic of Moldova as reflected in the Commission's Progress Report of May 2010, which highlighted the country's efforts to effectively implement structural reforms, based on a government programme fully aligned with the objectives of the EU-Republic of Moldova Action Plan. The Council looks forward to the Republic of Moldova continuing to address important challenges such as strengthening democracy and the rule of law, improving the investment climate, pursuing EU approximation in all areas of the EU-Republic of Moldova Action Plan, fighting corruption and organised crime, and tackling the problem of poverty. The Council stresses the EU's readiness to continue to deepen its relationship with the Republic of Moldova and to provide appropriate technical and financial assistance to support reform efforts.

4. The Council re-affirms the EU's readiness to continue to support the Republic of Moldova, including with macro-financial assistance and high-level advice to the government. Substantial macro-financial assistance – €90 million in the form of grants – will start being delivered to the state budget of the Republic of Moldova in the coming weeks.

5. The Council notes also that the Commission will deliver soon to the government of the Republic of Moldova its key recommendations in view of preparing the country for a deep and comprehensive free trade area. This will provide companies of the Republic of Moldova substantially improved access to the EU market, following the existing Autonomous Trade Preferences granted by the EU. This will also help to create an attractive investment climate for EU companies in the Republic of Moldova. The Council invites the Commission to prepare directives for a deep and comprehensive free trade area to be negotiated as an integral part of the Association Agreement. Such negotiations will start as soon as the necessary conditions are met.

6. The Council reiterates the importance of people-to-people contacts and welcomes the opening in June 2010 of the visa dialogue examining the conditions for visa-free travel of citizens of the Republic of Moldova to the EU as a long-term goal. On the basis of the exploratory phase of the dialogue, the Council underlines the achievements made so far, the existing challenges and the importance of further reform efforts by the Republic of Moldova, and invites the Commission to prepare a draft action plan, in line with the approach set out in paragraphs eight and nine of the Council Conclusions on the Eastern Partnership of 25 October 2010, setting out all the conditions to be met by the Republic of Moldova before the possible establishment of a visa-free travel regime, with a view to the visa dialogue entering a fully operational phase as soon as appropriate. Through the Council, EU Member States will be fully associated in the different steps of the process, including by being consulted on the draft action plan and both sets of benchmarks. The effective implementation of the readmission agreement will remain important in this context.

7. The Council notes that the Republic of Moldova has taken important steps during the past year in consolidating democracy. In this regard, the conduct of the constitutional referendum of 5 September in line with democratic standards was an encouraging sign. It is important that the parliamentary elections announced for 28 November take the country further forward on this path and fully meet international standards for free and fair elections.

8. The Council also welcomes the policy of constructive engagement of the Republic of Moldova in the Transnistria settlement efforts, including through the support of the Republic of Moldova for confidence-building measures. The Council underlines the continued efforts of the EU to contribute to a sustainable settlement of the Transnistria conflict, based on the

principles of sovereignty and territorial integrity of the Republic of Moldova. It re-affirms the EU's call for a resumption of official settlement talks in the 5+2 format as early as possible.'

Uzbekistan – Council conclusions

The Council adopted the following conclusions:

1. The Council has assessed the situation in Uzbekistan in the area of human rights, respect for democratic principles and the rule of law as well as the state of EU-Uzbekistan cooperation. The Council considers that substantial progress is still needed in order for the EU's relationship with Uzbekistan to reach its full potential.

2. The Council appreciates the constructive approach taken by the Uzbek authorities in response to the humanitarian crisis, which resulted from the spate of ethnic violence in southern Kyrgyzstan in June. The Council encourages Uzbekistan to foster good neighbourly relations with Kyrgyzstan and other countries in the region, in particular by developing cross-border cooperation and people-to-people contacts, and thus contribute to the overall stability of Central Asia.

3. The Council welcomes the constructive cooperation between the EU and Uzbekistan in a number of areas, such as the Rule of Law Initiative, border management, education, environment and energy, including in the framework of the EU Strategy for Central Asia. In this context, the Council looks forward to progress on opening an EU Delegation in Tashkent which would allow for enhanced dialogue and contribute to strengthening cooperation.

4. The Council takes note of efforts made by the Uzbek authorities to address some of the serious shortcomings as regards the human rights situation in Uzbekistan, in particular, through enhanced cooperation with the EU, UN agencies, the OSCE and other international organisations in a number of key areas such as criminal justice reform, the fight against human trafficking, human rights education and prison reform. The Council welcomes the release of Mr. Sanjar Umarov, the encouraging cooperation by the Uzbek authorities with the EU on concrete projects in the field of judiciary reform, as well as the interest they have expressed in developing cooperation to combat torture.

5. The Council, however, remains seriously concerned by the overall situation regarding human rights, democratisation and the rule of law in Uzbekistan and by the lack of substantial progress in the areas of concern outlined in the Council conclusions of October 2009. The Council calls on the Uzbek authorities to urgently undertake effective measures to make progress in those fields, in particular by releasing all imprisoned human rights defenders and prisoners of conscience, allowing unimpeded operation of non-governmental organisations in the country, cooperating fully with all relevant UN Special Rapporteurs, guaranteeing freedom of speech and the media, proceeding with practical implementation of conventions against child labour and by fully aligning its election processes with international standards. The Council reiterates the EU's readiness to assist the Uzbek authorities in these efforts and to share EU experience, particularly through the EU-Uzbekistan human rights dialogue.

6. The Council recalls the willingness of the EU to strengthen relations with Uzbekistan in a comprehensive manner, as set out in previous Council conclusions, and underlines that the depth and quality of the cooperation and dialogue at all levels continue to depend on Uzbek reforms and progress in the areas mentioned above. The Council will continue to follow the situation in Uzbekistan closely.'

Common security and defence policy

Protection of Civilians in CSDP missions and operations

The Council approved revised guidelines on the protection of civilians in missions and operations under the EU's common security and defence policy.

The revised guidelines replace guidelines from 2003 on the protection of civilians in EU-led crisis management operations. They assess the extent to which protection concerns and implementation of UN Security Council resolution 1894 (2009) are considered during the planning and conduct of CSDP missions and operations.

CHAPTER 88

Towards a stronger European disaster response

Brussels, 26 October 2010

Communication from the Commission to the European Parliament and the Council – towards a stronger European disaster response: the role of civil protection and humanitarian assistance

(Text with EEA relevance)

1. Introduction

EU Member States and EU institutions have responded well to the many disasters that have struck this year, both in the EU and further afield. The Haiti earthquake and the floods in Pakistan in particular stand out. The EU's response has been swift, efficient and generous. The quality of this response helped demonstrating to EU citizens and Member States the added value brought by EU actions in the field of crisis response.

At the same time, demands on the EU's disaster response capacity are likely to increase, as disasters continue to grow both in size and frequency. Current budgetary pressures also call for further efforts to promote an efficient use of scarce resources.

(..)

This Communication should be seen as the first building block of a broader and more coherent effort towards a strengthened EU disaster response. Work is underway on additional building blocks covering different aspects of the EU's response to crises both inside and outside the EU.

In this regard, for disasters outside the European Union, the creation of the European External Action Service (EEAS) offers opportunities to improve consistency between disaster response and possible political and security related elements of the EU's overall crisis response. This will include political and diplomatic efforts in Brussels and in the field, notably through EU Delegations, including possible consular support if requested. The EEAS will be responsible for crisis response actions under the Instrument for Stability (IfS), as well as for civilian and military crisis management means, whose tasks can include humanitarian and rescue support. Finally, it will include the EU's role as a significant development aid donor to many disaster

stricken areas of the world, where the links between relief, rehabilitation and development can and should be reinforced.

The High Representative for Foreign Affairs and Security Policy and the European Commission will soon come forward with a paper in this regard, notably building on the follow-up to the Haiti earthquake earlier this year. This paper will also make further proposals as regards the coordination in the context of crisis response between the EEAS and civil protection and humanitarian assistance structures.

As regards disasters inside the European Union, the proposals for improving response capacity would constitute a major contribution to the EU's Internal Security Strategy in Action, for which increasing Europe's resilience towards disasters is one of the strategic objectives. Consular protection will be addressed in the Commission Communication on consular protection.

The Lisbon Treaty also introduced a Solidarity Clause, which established the obligation for Member States to assist each other in the event of a natural or man-made disaster on EU territory.⁴ In 2011 the European Commission and the High Representative will bring forward a proposal for the implementation arrangements of the Solidarity Clause.

(...)

3. Guiding Principles

The following principles should guide work on the EU disaster response capacity:

- The EU should be able to respond effectively and in a spirit of solidarity to disasters **both inside and outside the EU**.
- The EU disaster response capacity should address **all types of disasters** (i.e. natural and man-made, other than armed conflicts) that overwhelm national response capacities and result in a need for EU assistance.
- A fully coherent approach for disasters outside the EU will need to **bring together the different constituencies** that could possibly be deployed (depending on the nature of the crisis): civil protection, humanitarian, crisis response under the IFS, mainstream geographical instruments for external assistance (using flexible procedures in situations of crises and emergencies), Common Security and Defence Policy (CSDP) civilian and military crisis management. The objective should be to identify and deploy the most appropriate resources to respond to any given disaster. It should build on the existing roles and mandates and capacities and ensure that critical 'gaps' and bottlenecks are addressed.
- When responding specifically to humanitarian needs caused by disasters outside the EU, **EU assistance is bound to act in accordance with internationally agreed humanitarian principles** (humanity, neutrality, impartiality and independence)¹ and guidelines. Improved EU coordination will help strengthening the central coordinating role of the UN for emergencies in third countries.
- **An approach that balances response with disaster prevention and preparedness** is the best way to respond to the increasing threats posed by disasters. While this Communication focuses on response, disaster prevention and preparedness are the cornerstones of the

4. Article 222 TFEU

1. European Consensus on Humanitarian Aid: http://ec.europa.eu/echo/files/policies/consensus/consensus_en.pdf.

EU's strategy on disaster management.² Actions to strengthen disaster response will be complemented by strong prevention and preparedness measures. This includes maximising the synergies between Disaster Risk Reduction and adaptation to climate change, so that, for example, financial support for prevention, recovery and reconstruction activities increase resilience to future crises.

- **Improved cost effectiveness** means looking for more efficient ways of delivering assistance. This can be achieved through a better pooling of assets in order to reduce costs and avoid a duplication of efforts. Where appropriate, Member States should look to make use of common assets. New initiatives (for example the common provision of transport) should look to ensure that the overall benefits in terms of efficiency gains outweigh any eventual costs and should not undermine national responsibilities for disaster prevention, preparedness and response. The EU should also avoid creating new structures and additional levels of bureaucracy.

4. A More Effective and Efficient European Disaster Response

4.1. The creation of a European Emergency Response Capacity based on pre-committed Member States' assets and pre-agreed contingency plans

The EU civil protection response is currently based on *ad hoc* offers of assistance from Member States. Such a system makes prior planning of emergency operations very difficult and cannot ensure the availability of appropriate and sufficient assistance in all cases. The EU needs to shift from *ad hoc* coordination to a system where advance planning allows core assets to be available for immediate deployment.

In order to improve *planning* of EU civil protection operations, the Commission proposes to:

- **Develop reference scenarios for the main types of disasters³ inside and outside the EU.**
- **Identify and map key existing assets that could be made available by Member States for the EU emergency response to these scenarios.**
- **Develop contingency plans for the deployment of these assets, including transport, and review them on the basis of lessons learned from new emergencies and exercises.**
- **Identify and ensure synergies between in-kind assistance and the assistance provided from the EU's humanitarian funding.**

A mapping of capacities available for EU civil protection operations on the basis of predefined disaster scenarios would significantly enhance the EU's response capacity. It will allow the Commission and the Member States to take maximum advantage of complementarities and pooling arrangements. This will result in enhanced cost-effectiveness.

To enhance the *availability* of key assets, various arrangements have been tested through the *Preparatory Action on an EU Rapid Response Capability*. This included standby arrangements for field hospitals, emergency shelter, high capacity pumping, water purification and other assets based in the majority of Member States. Based on this initial experience, the Commission proposes to:

2. In 2009, the Commission adopted a Communication on 'A Community approach on the prevention of natural and man-made disasters' (COM(2009) 82 final) and EU Strategy on supporting disaster risk reduction in developing countries (COM(2009) 84 final). The Implementation Plan of the EU DRR Strategy is also about to be adopted. Work is on-going to develop an EU-wide overview of risks and the Commission is exploring mechanisms for regular reviews of Member States' prevention and preparedness policies. Significant EU funding is available for disaster prevention although the uptake of these funds remains limited. Funding is also available under Space and Security Themes of the 7th R&D Framework Programme. Efforts are ongoing to extend EU support to disaster prevention projects in third countries, to identify and exchange best practices, to investigate opportunities for innovative financing arrangements. This work should be linked with the EU efforts related to the adaptation to climate change. The implementation and further development of the EU Solidarity Fund could also provide opportunities to reinforce the EU's disaster management.

3. Including CBRN and cross-border terrorist attacks.

- Establish a European Emergency Response Capacity in the form of a pool of pre-identified civil protection assets from the states participating in the Civil Protection Mechanism that are voluntarily made available for EU disaster relief operations both inside and outside the Union.

(...)

As a further step, the Commission proposes to:

- Use the contingency planning exercise to determine whether there are gaps in the civil protection response capacities available in the Member States that could be filled by complementary EU-funded assets.

Burden-sharing and common use of resources can result in significant efficiency gains. This is most obviously the case with assets required for horizontal coordination, assessment and logistics (e.g. surveillance aircraft for assessment).

(...)

4.2. Prepositioning of relief assets

(...)

To reinforce the rapid availability of assets for humanitarian actors in external emergencies the Commission will:

- Review experience gained from EU engagement with key humanitarian partners – notably WFP and IFRC – and develop options to develop this approach further.
- Seek to use, where available, Member States' existing prepositioning systems in third countries.

4.3. Improved needs assessments

(...)

The Commission will:

- Support UN-led efforts to develop joint, cross-sectoral and comparable needs assessments.
- Deploy EU experts to serve as liaison officers with the UN system.
- Increase the capacity of EU assessment teams to cover a larger territorial scope and, where necessary, to plug gaps in UN capacity.
- Ensure adequate participation in the PDNA by EU experts involved in the relief-related needs assessments and the implementation of humanitarian actions.

4.4. Shared, more effective and more cost-effective logistics

(...)

The Commission proposes to:

- Deploy the Technical Assistance and Support Teams more systematically, especially in situations where local infrastructure has collapsed, and develop contractual arrangements to ensure their guaranteed availability.
- Develop with the EEAS options on how these teams can better support EU Delegations, consular authorities and other EU and international actors during major emergencies outside the EU.
- Look to develop these arrangements into an EU field coordination centre that can plug into the UN system.

4.5. Coordinated and cost-effective transport

(...)

The Commission proposes to:

- Simplify and reinforce existing arrangements for the pooling and co-financing of transport assets.
- Engage with the private sector to prepare options on the commercial provision of transport and logistics in disaster situations.
- Make full use of the agreed framework for the use of Member States military or military chartered transportation assets and CSDP coordination tools in support of EU Disaster Response.
- Continue its support for the development of appropriate airlift /transport capacities (strategic and tactical) by humanitarian organisations and the UN.

4.6. Use of Member States military assets and CSDP support to EU disaster response

Civilian and military capacities developed in the context of the EU's common security and defence policy can be useful in supporting civil protection and humanitarian assistance notably in large-scale natural disasters.

The use of military assets to provide assistance in third countries as part of a response to natural disasters is governed by the so-called Oslo Guidelines.¹⁵ These guidelines have been agreed at the UN level and endorsed by the EU in the European Consensus on Humanitarian Aid.¹⁶ The Oslo guidelines stipulate that military assets should be used as a last resort, when there is not any other available civilian alternative to support urgent humanitarian needs in the time required.

Some Member States have national systems in place to use military transport or other military assets in support of their civil protection response to major disasters outside the EU. Such military assets, channelled through the civil protection authorities of Member States can contribute to the overall in-kind assistance that the EU currently channels via the Civil Protection Mechanism's Monitoring and Information Centre (MIC). As proven by the response to the Earthquake and Tsunamis in the Indian Ocean in December 2004 and more recently by the response to the 2010 Pakistan floods, military assets can fill in critical capacity gaps in areas such as transportation, logistics support, engineering, or medical support.

The EU has developed a framework for military support to EU disaster response, which covers the use of Member States' military or military chartered transportation assets and European Security and Defence Policy coordination tools.¹⁷ Standard operating procedures have been developed and used to good effect in major emergencies such as the 2010 Pakistan response where the Commission facilitated (via the MIC) aid delivery flights offered through the EU Movement Planning Cell of the EU Military Staff. This came in addition to various civilian flights organised and co-funded in the framework of the Mechanism.

Specific proposals for how to improve mechanisms for the use of civilian and military means under CSDP as part of the EU's disaster response, notably how to improve consistency and synergies with EU humanitarian and civil protection operations will be presented separately by the High Representative and the European Commission.

There is a need to develop:

15. Guidelines on the Use of Military and Civil Defence Assets in International Disaster Relief – 'Oslo Guidelines' (re-launched by UN OCHA in November 2006).

16. See in particular para. 61.

17. For reference to the various documents see footnote 11 *supra*.

- The European Emergency Response Centre as the Commission's operational emergency relief interface with the CSDP coordination tools in order to match humanitarian needs on the ground with the provision of Member States crisis management assets.

5. A More Coherent Response

5.1. Developing an Emergency Response Centre

(...)

The Commission will:

- Merge the Civil Protection and the DG ECHO crisis rooms to create a genuine 24/7 European Emergency Response Centre, which will work closely with other relevant services, including that responsible for the Internal Security Strategy.
- Develop the Emergency Response Centre, over time, into a platform providing support for other services dealing with major disasters.
- Set up working arrangements with the EEAS (both headquarters and EU Delegations). This can be done inter alia through measures including regular meetings, temporary exchange of liaison officers, joint exercises and training.

5.2. Strengthening coordination

(...)

The Commission will:

- Strengthen EU support to the UN in-country coordination of humanitarian assistance (the cluster system and UN humanitarian coordinator) including through the possible deployment of EU humanitarian liaison staff and the possible secondment of EU staff to the local UN coordination system.
- Use the Emergency Response Centre to streamline information flows between the EU and the UN regarding the EU's overall relief efforts.
- Improve the reporting by the UN financial tracking system of the overall EU assistance in any given disaster.

(...)

To further strengthen the coherence of European emergency relief assistance the Commission will:

- Propose the nomination of humanitarian focal points in Member States available at all times for information exchange. These focal points will be linked with national contact points for the EU Civil Protection Mechanism to ensure a fully joined-up approach.
- Develop a web-based information tool (based on the current 14 points system for humanitarian aid and the CECIS¹⁹ system for civil protection assistance). This tool will allow real-time communication related to EU (27 Member States and Commission) humanitarian assistance and in-kind assistance.
- Encourage Member States to provide timely reporting on humanitarian contributions.

19. Common Emergency Communication and Information System – a secure system linking civil protection authorities participating in the EU Civil Protection Mechanism and the Commission.

6. A More Visible Response

(...)

The Commission will:

- Present a single overall figure for EU emergency relief assistance (both financial and in-kind) rather than separate EU and Member States' figures while giving full credit to related bilateral assistance.
- Work to ensure that EU symbols are used in conjunction with national badges for all EU and Member State staff/assistance deployed in response to disasters.
- Consider ways for partner organisations to give adequate visibility to emergency relief assistance funded by the EU (e.g. through the EU or double logo on relief items).
- Monitor the respect of existing funding conditions more closely.
- Consider appropriate branding of a strengthened EU response capacity.

7. Conclusion

The strategy outlined in this Communication represents the first step in the development of a reinforced EU disaster response capacity. It will help maximize the impact of the EU's contribution to alleviating the suffering of the victims of disasters inside the EU and across the world. Legislative proposals will be proposed in 2011 to implement the key proposals.

Eupol Afghanistan

Brussels, 28 October 2010

Eupol Afghanistan helps Afghan police to train their leadership

The European Union Police mission in Afghanistan (EUPOL) and the international community are involved in the reform and training of the Afghan national police, and cooperate closely towards the transition of security responsibilities from international forces to the Afghans. EUPOL is now intensifying its work in this area by taking the lead on a project to train the leadership of the Afghan police in the Kabul staff College.

The new staff College will provide continuous and advanced training for Afghan police commanders. The finalisation of the building, which is funded through the European Commission Instrument for stability is foreseen for late 2011. Leadership courses have already started in a provisional location. Furthermore EUPOL will advise the Afghans in the setting-up of the College and will help develop curricula. EUPOL is also engaged in the establishment of a regional training centre in Bamyan, which will have a significant component for female Afghan police officers.

EUPOL will co-operate closely with other actors, such as the NATO training mission – Afghanistan and the German police project team. While NATO has resources to provide basic police training on a large scale, EUPOL's focus is to train and advise the leadership of the police.

A new call for contribution was launched on 26 October. Out of 134 positions published, 24 newly created positions are open for experienced and well-qualified police training experts to support the staff College and the Bamyan regional training centre.

'The EU, NATO and other international partners are seizing the moment and making best use of their respective skills in order to establish a more professional Afghan police. EUPOL is bringing its specific senior policing expertise to the table and is contributing to the transition strategy of the international community. I call upon all contributing states to send high-calibre police experts to make EUPOL's activities, including the staff College in Kabul and the Bamyan training centre, a success' stated the Civilian Operation Commander, Ambassador Kees Klompenhouwer today in Brussels.

CHAPTER 90

European Council Conclusions

Brussels, 28-29 October 2010

I. Task force on economic governance

1. The European Council endorses the report of the Task Force on economic governance. Its implementation will allow us to increase fiscal discipline, broaden economic surveillance, deepen coordination, and set up a robust framework for crisis management and stronger institutions. The European Council calls for a 'fast track' approach to be followed on the adoption of secondary legislation needed for the implementation of many of the recommendations. The objective is for the Council and the European Parliament to reach agreement by summer 2011 on the Commission's legislative proposals, noting that the Task Force report does not cover all issues addressed in these proposals and vice-versa. This will ensure the effective implementation of the new surveillance arrangements as soon as possible. The result will be a substantial strengthening of the economic pillar of EMU, enhancing confidence and thus contributing to sustainable growth, employment and competitiveness.

The European Council invites the Council to speed up work on how the impact of pension reform is accounted for in the implementation of the Stability and Growth Pact and report back to the European Council in December. Acknowledging the importance of systemic pension reforms, a level playing field within the SGP should be ensured.

2. Further to the report of the Task Force, and in order to ensure balanced and sustainable growth, Heads of State or Government agree on the need for Member States to establish a permanent crisis mechanism to safeguard the financial stability of the euro area as a whole and invite the President of the European Council to undertake consultations with the members of the European Council on a limited treaty change required to that effect, not modifying article 125 TFEU ('no bail-out' clause).

The European Council welcomes the intention of the Commission to undertake, in close consultation with the President of the European Council, preparatory work on the general features of a future new mechanism, i.a. the role of the private sector, the role of the IMF and the very strong conditionality under which such programmes should operate.

The European Council will revert to this matter at its December meeting with a view to taking the final decision both on the outline of a crisis mechanism and on a limited treaty amendment so that any change can be ratified at the latest by mid-2013.

The President of the European Council intends to subsequently examine in consultation with the Member States the issue of the right of euro area members to participate in decision making in EMU-related procedures in the case of a permanent threat to the stability of the euro area as a whole.

3. Heads of State or Government stressed that, at the same time as fiscal discipline is reinforced in the European Union, it is essential that the European Union budget and the forthcoming Multi-annual Financial Framework reflect the consolidation efforts being made by Member States to bring deficit and debt onto a more sustainable path. Respecting the role of the different institutions and the need to meet Europe's objectives, the European Council will discuss at its next meeting how to ensure that spending at the European level can make an appropriate contribution to this work.

II. Seoul G20 Summit

4. The world economy is recovering from the crisis. However, there remain a number of issues that require sustained attention at the global level, including risks to financial sustainability, incomplete financial sector repair, high unemployment, the volatility of global commodity prices, and re-emerging global macroeconomic imbalances. The European Council confirmed the orientations agreed by the Council and discussed the priorities which the representatives of the EU and the EU Member States which are member of the G20 will promote at the Seoul summit. The summit must send an ambitious signal as regards the concrete and timely implementation of measures agreed in the Framework for Strong, Sustainable and Balanced Growth, notably concerning fiscal consolidation plans, financial regulatory reform, social cohesion, job creation and the need for further structural reforms. The issue of the rebalancing of world growth also requires particular attention. The European Union looks forward to the confirmation by the G20 summit of the Basel agreement, which is an important step in strengthening global financial stability. The European Union emphasises the need to continue keeping markets open, to inject momentum into the Doha negotiations and to adopt a growth-oriented development agenda. It stresses the need to avoid all forms of protectionism and to avoid engaging in exchange-rate moves aimed at gaining short-term competitive advantages.

5. The agreement reached at the G20 Ministerial Meeting of 23 October 2010 on the reform of the International Monetary Fund will help deliver a more effective, credible and legitimate IMF and enable the IMF to play its role in supporting the operation of the international monetary and financial system. Quota as well as wider governance reforms should be delivered together as a single, comprehensive package and within the same time frame.

6. Further work is necessary on levies and taxes on financial institutions, at both the international and internal levels. In line with the Council's report, there should be further coordination between the different levy schemes in place in order to avoid double-charging. The Council is invited to report back to the European Council in December 2010. The different options regarding the taxation of the financial sector should also be examined, as well as good practices aimed at impeding tax havens and tax evasion.

III. Cancún conference on climate change

7. Making progress in tackling climate change is becoming ever more urgent. It is therefore important that the Cancún Conference deliver a significant intermediate step, building on the Kyoto Protocol and paving the way towards a global and comprehensive legally binding

framework, integrating the political guidance given in the Copenhagen Accord. It is crucial that the European Union and its Member States continue to play a constructive role and that they deliver a single message. The European Council endorses the conclusions of the Council of 14 October 2010 on the preparation of the Cancún Conference and confirms the willingness of the European Union to consider a second commitment period under the Kyoto Protocol provided the conditions set out in these conclusions are met. The European Union will submit a comprehensive and transparent report on the implementation of its commitment on fast-start financing in Cancún and yearly thereafter and will underline the importance of further increasing transparency of climate change financing. The European Union will reassess the situation after the Cancún Conference, including the examination of options to move beyond 20% greenhouse gas emission reductions to be prepared to react to the ongoing international climate negotiations; the Council is invited to report back on this issue by spring 2011. In parallel with seeking an international agreement, the EU will also develop a more diversified approach to engaging with key partners in areas of mutual interest that help them reduce their emissions. In this context, the EU encourages regional initiatives to tackle climate change and promote green growth such as the recent Mediterranean Initiative on Climate Change.

IV. Summits with third countries

8. In line with its conclusions of September 2010, the European Council discussed the key political messages which the President of the European Council and the President of the Commission will promote at the forthcoming summits with the United States, Russia, Ukraine, India and Africa.
(...)

Brussels, 17 November 2010

Council adopts final legal acts for European External Action Service

The Council today adopted revised versions of the EU staff and financial regulation necessary for the functioning of the European External Action Service (EEAS). This follows a first-reading agreement with the European Parliament. The modifications reflect and concretise agreements made in the context of the Council decision on the establishment and functioning of the EEAS which was adopted on 26 July 2010.

The two texts are the last of the legal acts necessary for making operational the EEAS, one of the most significant changes introduced by the Treaty of Lisbon.

The new staff regulation (52/10) provides inter alia for the following rules:

- the High Representative is empowered to act as appointing authority;
- EU officials and temporary agents coming from the diplomatic services of the member states enjoy the same rights and obligations and will be treated equally; this applies in particular for the eligibility to assume all positions and, as a matter of principle, for recruitments;
- personnel from the diplomatic services of the member states appointed as temporary agents should represent at least one third of all EEAS staff at AD-level and EU officials at least 60%;
- recruitment or engagement is directed to securing for the EEAS the services of officials and temporary staff of the highest standard of ability, efficiency and integrity, while ensuring adequate geographical and gender balance.

The amended EU financial regulation (53/10) includes the following key elements:

- the EEAS is recognised as an institution in budgetary terms, which provides it with autonomy for its administrative budget, i.e. its own section in the EU budget;
- concerning operational expenditure (mainly financial assistance programmes and development aid), the financial governance framework of the Commission will apply to the EEAS;
- the heads of EU delegations will be given sub-delegated implementing powers by the responsible Commission Directors General for this operational expenditure; at the same time, they will have to comply with specific reporting duties. The revised financial regulation also spells out the various safeguards that are necessary to handle these operations, including how to act in case of irregularities.

CHAPTER 92

EU-US Summit

Lisbon, 20 November 2010

Joint statement

We, the leaders of the European Union and the United States, met today in Lisbon to re-affirm our close partnership. Our shared values and political experience and our deep economic interdependence constitute an extraordinary resource. As we both face new challenges, we want our partnership to bring greater prosperity and security to our 800 million citizens on the two sides of the Atlantic.

Today we focused our discussions on three key areas of cooperation that are of vital interest to our citizens: first, how to ensure strong, balanced and sustainable economic growth and how to create jobs, including in new, emerging fields; second, how to meet global challenges such as climate change and international development; and third, how to strengthen the security of our citizens.

On the economy, we discussed the results of the G20 Summit in Seoul, and the contribution the European Union and the United States can make to securing a sustainable and balanced recovery, including through fiscal consolidation where necessary, and to creating jobs through structural and financial market reform. We reaffirmed our commitment and encouraged our G20 partners to promote balanced growth, to pursue policies that avoid unsustainable imbalances and to avoid competitive devaluation or exchange rate policies that do not reflect underlying economic fundamentals. We highlighted our commitment to reject protectionism as a response to the challenges our economies face. We reiterated our strong commitment to direct our negotiators to engage in across-the-board negotiations to promptly bring the Doha Development Agenda to a successful, ambitious, comprehensive and balanced conclusion. We recognized that 2011 is a critical window of opportunity and that engagement among all negotiators must intensify and expand to complete an agreement that will expand trade and open markets. We also agreed to coordinate efforts to encourage emerging economies to assume responsibilities and adopt policies commensurate with their growing economic strength and role in areas such as trade, protection of intellectual property, regulation, and investment policy.

We underlined our conviction that we have not yet fully tapped the potential of transatlantic commerce to boost our growth and generate jobs on both sides of the Atlantic in the coming years, and to strengthen our economies for the competitive challenges of the future. We agreed that the most effective way to achieve these aims is to promote innovation, streamline regulation, and eliminate barriers to trade and investment, bringing benefits to business, workers, and consumers in both markets. We recognised the central role of the Transatlantic Economic Council (TEC) in achieving these objectives, as well as facilitating coordinated approaches to other markets on such issues. We tasked the TEC to develop a transatlantic agenda to stimulate

growth and create jobs in key emerging sectors and technologies. We have also asked the TEC to identify ways to improve transatlantic consultation before regulators and agencies develop regulation in economically promising new technologies and sectors, to share best practices, and to develop joint principles with the aim of promoting maximum compatibility of regulations and the freest possible transatlantic flow of ideas, products, and services. We expect the TEC to report on progress in these areas in 2011. In addition, and in order to boost the agenda of green jobs and growth, we tasked the EU-U.S. Energy Council to enhance cooperation on the development and deployment of clean energy technologies. We also tasked it to report by June 2011 on what it has done to accelerate exchanges of information and scientific personnel, to form alliances among our premier energy technology research bodies, and to facilitate participation by qualified researchers in each other's energy research. We encouraged the EU-U.S. Energy Council to continue to promote energy security by fostering transparent and efficient energy markets, including the diversification of supply sources and routes.

On climate change, we emphasized that we stand by the commitments we made in Copenhagen last December, including to reduce greenhouse gas emissions. We agreed to promote a positive outcome at the Cancun conference that includes progress on all core elements contained in the Copenhagen Accord, including mitigation, transparency, finance, adaptation, technology, and forests. We will continue working closely together in all relevant fora, in particular the UN Framework Convention and the Major Economies Forum, to ensure that the comprehensive global framework we are working towards includes robust and transparent emissions reduction commitments by all major economies.

We reaffirmed our commitment to collaboration and coordinated action on development, recognizing that our goals and objectives are aligned as never before. We pledged to continue and strengthen cooperation on food security, climate change and the Millennium Development Goals, including health. As the world's two leading donors of development assistance, we must maximize the effectiveness and impact of our aid and avoid duplication of effort. We therefore tasked the EU-U.S. Dialogue on Development to produce a work plan for improved in-country cooperation on aid effectiveness with a focus on division of labour, transparency, and accountability, and to begin implementation in a number of mutually agreed countries under partner country leadership, ahead of the Fourth High Level Forum on Aid Effectiveness in November 2011.

Recognising the need to frame and implement integrated strategies on security and development, we reaffirmed our commitment to strengthen our collaboration in this area, covering conflict prevention, crisis response, and long-term development. We agreed on the need to confront major international issues and global challenges with a more comprehensive and strategic approach, and in a more concerted manner. In this regard, we welcomed the agreement in NATO's Strategic Concept on further strengthening the EUNATO strategic partnership, and we reaffirmed our commitment to enhance EU-NATO cooperation in crisis management in the spirit of mutual reinforcement and with respect for their decision-making autonomy.

We also welcomed our deepening partnership on a wide range of trans-national security issues that affect the citizens of the European Union and the United States. This partnership is founded on our conviction that respect for fundamental rights and freedoms and joint efforts to strengthen security cooperation are mutually reinforcing. We agreed to work together to tackle new threats to the global networks upon which the security and prosperity of our free societies increasingly depend. Recognising this, as well as the growing challenge of cyber-security and cyber-crime, we established an EU-U.S. Working Group on Cyber-security and Cybercrime, which will address a number of specific priority areas and will report progress within a year. We welcomed

the successful negotiation earlier this year of an agreement on the Terrorist Finance Tracking Programme. We aim to facilitate transatlantic travel for our citizens while pursuing the vital task of maintaining security, and now look forward to making good progress in our forthcoming negotiations on a Passenger Name Record agreement. We welcomed the inclusion of an additional EU Member State in the Visa Waiver Programme earlier this year, and we reaffirmed our desire to complete secure visa-free travel between the United States and the European Union as soon as possible. We will also continue our work towards negotiating a comprehensive agreement on data protection. We are also committed to extending our partnership on countering violent extremism, in particular by sharing research and good practice and by enhancing co-operation on assistance to third countries at risk. In this regard, we aim to deepen our cooperation with Yemen to help it develop its institutions and capabilities to cope with the challenges it faces, including violent extremism.

Finally, we also discussed our common efforts to promote security more broadly around the world, including the fight against proliferation of weapons of mass destruction, our joint efforts to support direct talks between Israel and the Palestinian Authority with the aim of forging the framework of a final agreement within a year, to support the Special Tribunal for Lebanon, to seek engagement with Iran while maintaining pressure via sanctions, and to support stability in Afghanistan. We are working together with Pakistan's civilian government to help expand trade ties, bolster economic development, and combat violent extremism. We underlined the need for peace and stability in Sudan and will work to ensure that the upcoming referenda reflect the will of the populations concerned.

Foreign Affairs Council

Brussels, 22 November 2010

Middle East Peace Process

Ministers exchanged views on the latest developments concerning the Middle East Peace Process and underlined the EU's continued support for the efforts of the United States to restart the direct negotiations, following a briefing by High Representative Catherine Ashton, after the EU-US summit. They voiced their concern at the current lack of progress and the on-going settlement activities, particularly in East Jerusalem. The High Representative pointed to the Council's December 2009 conclusions and recalled that settlements are illegal under international law, are an obstacle to peace and threaten to make a two-state solution impossible. She emphasized that the EU would continue to work with the International Quartet towards the successful outcome of the negotiations if they were resumed.

Ministers also expressed their ongoing concern at the situation in Gaza, calling for the Gaza crossings to be opened and, in particular, for exports to be allowed out of Gaza.

Lebanon

Ministers discussed the recent developments in Lebanon over lunch and the Council adopted the following conclusions expressing full support to the Government of National Unity led by Prime Minister Saad Hariri and full support for the Special Tribunal for Lebanon:

1. The Council reaffirms its full support to the Government of National Unity led by PM Hariri, established in the wake of democratic elections. Concerned by the situation in Lebanon, it calls on parties to further engage in dialogue in the spirit of consensus and to respect the rule of law. The Council supports the Lebanese institutions, the full implementation of the Doha Agreement and of the principles enshrined in the Lebanese Constitution and the Taif accord.

2. The Council also reaffirms the full support of the European Union for the Special Tribunal for Lebanon (STL) as an independent court, created by UNSCR 1757 and following the highest judicial standards, as unequivocally reaffirmed in a recent statement by the UN Secretary-General. The Council expresses its concern at intimidations and condemns attempts to hinder the work of the STL.

3. The Council is convinced that achieving international justice on the killing of Rafik Hariri and others, and preserving stability in Lebanon are mutually reinforcing. It calls on all parties to fully cooperate with the Tribunal in order to put an end to impunity and bring stability to the country. It recalls legal obligations stemming from UNSCR 1757. The Council further calls

upon all parties and actors, both in the country and in the region, to play a constructive role, not to interfere in the Tribunal's work and not to prejudge its outcome.

4. The Council remains determined to reinforce Lebanon's sovereignty, independence, territorial integrity, unity and stability. The Council recalls its commitment to the full implementation of all relevant UNSC Resolutions, including 1559, 1680, 1701 and 1757.

5. The Council commends the crucial role of UNIFIL, whose activities alongside the Lebanese army continue to be essential for peace in the region. The Council calls for the implementation of all provisions of UNSC Resolution 1701, for respect of the blue line in its entirety and for the full cooperation with the United Nations and UNIFIL.'

Iraq

Ministers had a brief exchange of views on the political situation and recent developments in Iraq and the Council adopted the following conclusions:

'The EU welcomes the agreement on the appointment of the Iraqi President, Prime Minister and Speaker with deputies on 11 November 2010. These encouraging first steps towards the formation of an inclusive new Government in Iraq following the elections on 7 March mark an important moment in the country's ongoing democratic process.

The EU underlines the urgent need for a stable and representative government, which is able to rededicate itself to the pursuit of national reconciliation. Such a government will be vital to lead the country in dealing with all the challenges ahead, including tackling continuing violence in Iraq, responding to the aspirations of all Iraqis – regardless of creed or ethnicity – and respecting, protecting and promoting human rights, including those of persons belonging to minorities. The EU strongly encourages all political actors to participate constructively in the negotiations to form swiftly a new government. The EU looks forward to engaging with this new government as soon as it is in place.

The EU also wishes to express its deep concern and outright condemnation of the recent terrorist attacks in Iraq in which scores of innocent civilians lost their lives and hundreds were wounded. The attacks deliberately targeted locations where civilians congregate, including Christian and Muslim places of worship. The EU condemns all incitement to and acts of violence including those motivated by religious and ethnic hatred. The EU expresses confidence that the people of Iraq will remain steadfast in their continued rejection of efforts by extremists to spark sectarian tension.'

Iran

The High Representative updated ministers on the efforts to arrange a meeting with the Iranian nuclear negotiator, Dr Saeed Jalili, in early December in order to begin a process of dialogue on the nuclear issue.

Sudan

The Council discussed the challenge posed by Sudan ahead of the referenda in January on self-determination for Southern Sudan and on the status of Abyei. It called for full compliance with the Comprehensive Peace Agreement commitments and stressed the need to prepare for a peaceful transition in the period after the referenda. The EU is deploying an Election Observation Mission to monitor the referenda and already has monitors on the ground. The Council also stated its continued support for the Darfur peace process. The High Representative announced that she was setting up a Sudan Task Force, headed by Dame Rosalind Marsden, the EU Special Representative for Sudan. Ministers recalled that four EU nationals had been kidnapped in Darfur and the High Representative stressed that every effort was being made to secure their release.

The Council adopted the following conclusions:

1. Recalling its Conclusions of 26 July 2010 and in line with the UNSC Presidential Statement following the Ministerial meeting of 16 November, the Council recognizes the critical importance of the forthcoming weeks in Sudan ahead of the referenda on self-determination for Southern Sudan and on the status of Abyei. The Council recalls that full and timely implementation of the CPA is crucial for lasting peace and security and that urgent and concerted action is required to achieve this. It reaffirms its support to UNMIS in the fulfilment of its mandate.

2. The Council commends the AUHIP under the leadership of President Mbeki. It welcomes the ongoing registration and the progress achieved on the conclusion of a framework agreement between the parties on outstanding CPA- and post-referendum arrangements, and underlines the need for sustained and focused efforts. The EU commits to working intensively during the vital weeks ahead in support to the negotiation process, and to the AU and UN efforts. As a signal of its support to CPA implementation and in order to build confidence in the referendum process, the EU is deploying an Electoral Observation Mission, including for the registration period. In this regard, it reiterates the need for peaceful and credible referenda, whose outcomes reflect the will of the people and are respected by all. The Council calls on all parties to refrain from unilateral action while emphasising the obligation of both parties to cooperate on CPA-implementation.

3. The Council remains committed to peace and development in the whole of Sudan. Hence, the EU will strengthen its engagement in dialogue with all Sudanese stakeholders to that end, irrespective of the outcome of the referenda. It stands ready to continue to contribute actively, in close coordination with other partners, to address the challenges of capacity building in Southern Sudan and the Three Areas (Southern Kordofan, Blue Nile, Abyei). The Council also agrees that the situation of Eastern Sudan needs special attention and welcomes in this regard the International Donor Conference in Kuwait, 1-2 December 2010.

4. The Council recognizes the significance of debt in relation to Sudanese economic development. In this respect, it welcomes technical preparations for potential debt relief for Sudan under the auspices of the World Bank, as suggested at the Sudan High Level Round Table Meeting in Washington on 9 October 2010. The Council notes that fulfilment of commitments under the CPA and on Darfur would positively affect this process.

5. The Council recalls that peace in Sudan will never be complete without a lasting settlement of the situation in Darfur. Therefore, it remains committed to finding a political solution to the problems in Darfur. It commends the mediation efforts of the joint UN-AU mediator Bassolé and the Government of Qatar. The Council calls upon all parties to refrain from violence, honour

previous cease fire agreements and to reach urgently and without preconditions a comprehensive and inclusive agreement. Such an agreement should address the causes and consequences of the conflict, end impunity and ensure the protection of the civilian populations and the promotion of human rights, justice and reconciliation, with adequate participation of women and civil society. The Council calls on the Government of Sudan to fully respect humanitarian principles, including humanitarian access, when implementing its new Darfur Strategy.

6. The Council is also concerned by the continued poor security situation in Darfur, its impact on the civilian population and humanitarian workers. It is essential that UNAMID is able to perform its core protection mandate without hindrance, including freedom of movement. Kidnapping and intimidation of humanitarian workers and peacekeepers is unacceptable, and the Council expects the Government of Sudan to bring perpetrators to justice.

7. The Council calls upon the Sudanese authorities to respect international human rights and international humanitarian law. It expresses its concern about the arrest of journalists and human rights defenders and calls on the Sudanese Government to act in accordance with International Law.

8. The Council recalls the obligation of the Government of Sudan to cooperate with the International Criminal Court pursuant to UNSC Resolution 1593.

9. The Council welcomes the High Representative's intention to establish a Sudan Task Force chaired by the EUSR, and agrees to revert to Sudan at its next meeting in December 2010.'

CHAPTER 94

North Korea – Statement by Catherine Ashton

Brussels, 23 November 2010

Statement by HR Catherine Ashton on North Korean attack on South Korean Island

'I am deeply concerned by today's events on the Korean Peninsula, which have reportedly led to casualties among South Korean military and civilians.

I strongly condemn this attack by the DPRK. I call on the North Korean authorities to refrain from any action that risks further escalation and to fully respect the Korean Armistice Agreement.

I welcome a call for restraint by President Lee Myung-bak.

We are monitoring developments closely. I would like to underline that peace and stability on the Korean peninsula remains essential for the region and the wider world.'

CHAPTER 95

Georgia – Statement by Catherine Ashton

Brussels, 25 November 2010

Statement by HR Catherine Ashton on the non-use of force commitment announced by Georgian President Saakashvili

‘I welcome the non-use of force commitment announced by the Georgian President Saakashvili during his speech made on 23 November before the European Parliament in Strasbourg. I see it as a constructive step and positive contribution to ongoing efforts towards a peaceful and lasting solution to the conflict.

In this regard, I underline the importance of the Geneva International Discussions, where the issue of non-use of force is at the centre of the agenda.

We are looking forward to further steps, as announced by President Saakashvili in his speech, and stand ready to continue the active engagement of the EU in the conflict resolution efforts in Georgia.’

CHAPTER 96

3rd Africa-EU Summit

Tripoli, 29-30 November 2010

The Joint EU-Africa Strategy was adopted at the Lisbon Summit four years ago. It was the second ever Summit between heads of state and government from EU and Africa that was held in Lisbon on 8-9 December, 2007. The first summit was held in Cairo in 2000.

Tripoli Declaration

We, Heads of State and Governments of Africa and the European Union, representing more than 1.5 billion citizens have gathered in Tripoli on 29-30 November 2010 determined to seize together new opportunities for broader and mutually beneficial initiatives.

The Partnership between Africa and the European Union is one of the most enduring global relationships and is of strategic significance to both sides. We will continue the work launched at the Cairo Summit in 2000 and Lisbon Summit in 2007, where we decided to put our relations on a new, equal and strategic level. We confirm the Joint Africa-EU Strategy as the framework for our future cooperation and adopt the Action Plan 2011-13 as our new commitment to the realisation of this Partnership.

With many states celebrating fifty years of independence, Africa is more than ever on the eve of a fundamental evolution offering new opportunities and perspectives towards enhanced integration and improved sustainable development, within the framework of the African Union that aspires for a united, peaceful and prosperous continent. At the same time, the Treaty of Lisbon marks a new phase for the European Union. Both developments further enhance and strengthen the Africa-EU partnership.

Since we met 3 years ago, the world has undergone an accelerated process of globalisation and faced an unprecedented financial and economic crisis. This requires our Partnership to be more responsive and to take an increasing part in the reform of the global governance system, including availing wider opportunity for Africa and the EU to be fairly represented. Our partnership should guide the transformations the world needs: tackle the effects of climate change, conflict prevention, good governance, achieve a sustainable energy market including investment particularly in renewable energy resources, develop infrastructure, provide food security, achieve the Millennium Development Goals, combat HIV/AIDS, address the realities and challenges of migration and its links to development, as well as to promote gender equality. We step-up our joint efforts especially in encouraging investment growth, creating employment and work for the young generations entering the labour market, notably in Africa.

Spreading the success of entrepreneurship, we are committed to promoting the private sector as a key driver of inclusive and sustainable economic growth and an important actor in providing for

more equal and balanced development. To flourish, this private investment needs, a transparent and well-governed business environment, partnerships with the public sector, better productivity, social protection of workers both in formal and informal economies, together with reinforced efforts of education and technology transfer in order to promote a knowledge based Society. We recognize the equally important dimension of regional integration for growth and development and commit to conclude Economic Partnership Agreements (EPAs) that support socio-economic development, regional integration and the integration of Africa into the global economy.

Mindful of the additional efforts needed to reach the Millennium Development Goals in Africa by 2015, we will reinvigorate our concerted efforts to address all MDG targets, taking account of those countries and targets most off track and paying particular attention to the most vulnerable and marginalised people. We consider that all available financing for development, both domestic and external, traditional as well as innovative, need to support sustainable economic growth and employment in Africa which are key for achieving the MDGs.

2010 being the African year of peace and security, we attach utmost importance to all efforts of conflict prevention, reconciliation, justice and post conflict reconstruction and development for the sake of people undergoing conflict. As the international community marks the 10th anniversary of UN Security Council Resolution 1325, both sides stressed the role of women in efforts to achieve sustainable peace and security. Peace and security remain a cornerstone of our cooperation. We are committed to making the African Peace and Security Architecture fully operational in close collaboration with the regional organizations. As regards AU lead Peace operations, it was agreed to work towards ensuring flexible, predictable and sustainable funding.

We will continue our concerted efforts to bring the Somali conflict to an end, to stabilize the internal situation and to promote timely post-conflict reconstruction and development efforts. To these ends, we will continue working together in support of a strengthened AMISOM, as well as of the Somali Security Forces, extending support to the TFG in the framework of a reinvigorated comprehensive political strategy. On Sudan, we emphasise the urgency and importance of ensuring that all elements of the CPA, including those concerning Abyei, South Kordofan and Blue Nile, are implemented in a timely, peaceful and credible manner, in particular the referendum on South Sudan whose results should be accepted by all. Furthermore, we encourage all parties to progress with the post referendum issues. In this context, we welcome the leadership of the AU in close cooperation with the UN as well as the support provided by the AUHIP led by President Mbeki, and by IGAD. We welcome in particular the progress made and agreements reached on the framework regarding outstanding CPA issues.

Our cooperation will continue to build on our common values and goals in pursuit of good governance, democracy and the rule of law. We firmly condemn all unconstitutional changes of governments which, alongside bad governance, are one of the main causes of instability. We are united in the fight against impunity at national and international level and the protection of human rights on both continents. We emphasize the need to strengthen national legal systems and the international cooperation in the pursuit of justice, peace and reconciliation, including the prosecution of the most serious crimes of concern to the international community, taking into cognizance the positions of the African and the European Union. We condemn all forms of terrorism and will cooperate closely in addressing this international threat and its various sources of financing. We also condemn intolerance in all its forms and will address this phenomenon as well as cooperate closely, including in the UN, in addressing trans-national threats of, inter-alia, piracy, dumping of toxic waste, organized crime and illegal trafficking, including human

trafficking. We jointly agree to address Maritime security challenges of particular concern to both continents including pollution of seas and oceans.

Africa and the EU will work together to ensure more effective participation and improved cooperation in international bodies, including the United Nations General Assembly, and the G20. We will further strengthen our high level political dialogue aiming at a better coordinated approach and joint positions in international negotiations. We emphasize the importance of an effective multilateralism and reaffirm our determination to ensure that multilateral institutions are the main fora for international cooperation on peace and security, human rights and democracy and on global governance. In this context, we recognize the need to pursue the reform of the main UN bodies with a view to making the overall UN system more effective and transparent and which should be reflective of the substantial changes the international community and UN membership have undergone.

We welcome the results of the numerous side-events which have contributed to the success of this Summit and which demonstrate the dynamics of our Strategic Partnership and the effective involvement of a broad range of stakeholders. We also take careful note of recommendations from these events.

We positively note that the EU accounts for more than a half of global ODA and reaffirms its commitment to increasing its aid spending to reach the collective target of 0.7% of Gross National Income by 2015. We also welcome, based on the average flow of EU ODA for Africa per year, both by Member States and the EU, and following existing commitments for the period of the next three years, that more than € 50 billion of ODA will be made available to support the overall objective of this Partnership.

We express our gratitude to the Leader of the Revolution and people of the Great Socialist Peoples' Libyan Arab Jamahiriya for the care, hospitality and attention extended to the participants of this Summit.

We decide to reconvene in Brussels in 2013.

CHAPTER 97

Iran – Statement by Catherine Ashton

Brussels, 7 December 2010

Statement by HR Catherine Ashton on behalf of E3+3 after the talks with Iran, Geneva 6-7 December 2010

‘We have had nearly two days of detailed substantive talks focusing on the Iranian nuclear programme and the need for Iran to comply with its international obligations.

The countries I represent are united in seeking a resolution of the international community's concerns regarding Iran's nuclear programme - which is the central purpose of these talks. We recognise Iran's rights, but insist that it fulfils its obligations.

We are ready to address and to seek common ground also on other issues of mutual interest. We and Iran agreed to a continuation of these talks in late January in Istanbul, where we plan to discuss practical ideas and ways of cooperating towards a resolution of our core concerns about the nuclear issue.’

CHAPTER 98

Middle East Peace Process – Statements

Brussels, 8 & 9 December 2010

Statement by HR Catherine Ashton on the peace process

I note with regret that Israel has not been in a position to accept an extension of the moratorium as requested by the US, the EU and the Quartet. The EU position on settlements is clear: they are illegal under international law and an obstacle to peace. Recent settlement related developments, including in East Jerusalem, contradict the efforts by the international community for successful negotiations.

We must spare no effort to get negotiations back on track on all final status issues. There is no alternative to a negotiated two state solution to the Israeli-Palestinian conflict.

I am in close contact with the US, in coordination within the Quartet, and working with the parties and partners in the region to continue to work towards the objective of a negotiated peace.

Statement by the spokesperson of Catherine Ashton on exports from Gaza

Brussels, 9 December 2010

Enabling large-scale Palestinian exports in a sustainable way is essential to promote economic development in the Gaza Strip. Yesterday's announcement by the government of Israel is a positive further step in the right direction.

Since the government's decision from 20 June, there has been some positive change on the ground.

Further efforts and complementary measures are needed to revitalise the Gaza economy, create jobs and strengthen the private sector. Our objective is to improve the lives of the ordinary people of Gaza while addressing the legitimate security concerns of Israel. We support the Palestinian Authority in their desire to return to the crossings.

CHAPTER 99

Foreign Affairs Council

Brussels, 9 December 2010

Military capabilities development

The Council adopted the following conclusions in the field of military capabilities:

1. The Council stressed the need to turn the financial crisis and its impact on national defence budgets into an opportunity, to give a new impetus to European military capability development in order to meet its level of ambition, to address remaining shortfalls and to safeguard the defence capabilities required to support the EU's Common Security and Defence Policy (CSDP) as well as to achieve national capability targets, while avoiding unnecessary duplication between Member States.
2. Building on existing processes, the Council highlighted in particular the following solutions:

Cooperation as a force multiplier

3. The Council encouraged Member States to exchange information, as appropriate, and enhance transparency on current and forthcoming defence budget cuts, and to examine the impact of these budget cuts on capability development.
4. With a view to strengthening military capabilities in Europe for sustaining and enhancing CSDP, the Council called on Member States to seize all opportunities to cooperate in the area of capability development. It particularly stressed the need to develop pooling and sharing options, building on successful multilateral examples such as the European Air Transport Command launched in September 2010, and to explore role specialisation.
5. The Council welcomed the input by the European Defence Agency (EDA) and the German-Swedish initiative as contributions to the follow-up to the informal meeting of Defence Ministers in Ghent (September 2010). It encouraged Member States to systematically analyse their national military capabilities and support structures, taking into account criteria such as operational effectiveness, economic efficiency and sustainability. This would form the basis for Member States to consider: measures to increase interoperability for capabilities to be maintained on a national level; exploring which capabilities offer potential for pooling; intensifying cooperation regarding capabilities, support structures and tasks which could be addressed on the basis of role- and task-sharing.
6. The Council encouraged the EDA to intensify its work to facilitate the identification of areas for pooling and sharing, including potentially through the establishment of a Wise Pen Team, taking into account the diversity of experiences across the Member States, and to support Member States in their voluntary efforts to implement pooling and sharing initiatives.

The Council underlined that such a Wise Pen Team would rely on an active engagement of the participating Member States.

7. The Council tasked the Political and Security Committee to remain seized of this matter, and agreed to examine progress by mid 2011.

8. In this context the Council also noted the existing bilateral and multilateral initiatives and the signature of agreements between Member States, such as the recent UK-France Defence Cooperation Treaty, which promise to contribute to improving European defence capabilities. These initiatives should help create a dynamic for stimulating further opportunities for cooperation between the Member States.

Civil-military synergies

9. The Council underlined the potential benefits of developing civil-military synergies in capability development and the added-value of dual use capabilities. In this regard, it emphasized the need for further cooperation between the European Defence Agency and the European Commission, notably in research and technology.

10. With a view to avoiding unnecessary costs and duplication, the Council underlined the need for the Member States and other relevant EU actors, to channel as appropriate military requirements, standards and other ongoing developments to those civilian bodies whose activities may have implications for the defence community.

EU-NATO cooperation in capability development

11. The Council reiterated the need for continuing to develop cooperation with NATO regarding the development of military capabilities, adhering to the principles of inclusiveness and autonomy of decision-making. The Council welcomed progress in the areas of Counter-Improvised Explosive Devices and Medical Support, two essential domains for the protection and sustainability of troops. It looked forward to the rapid implementation of the proposals and stressed the need to continue staff-to-staff contacts on capability development, with a view to identifying possible additional areas of concrete cooperation under the political guidance of the PSC, the outcomes of which will be available to all Member States.

Potential of the Lisbon Treaty

12. The Council underlined the need to take advantage of the post-Lisbon context, including the establishment of the European External Action Service, as a catalyst for reinforcing coordination leading to a better and more coherent utilization of resources. Possibilities for the use of Permanent Structured Cooperation shall be explored in order to enhance defence capabilities with a view to strengthening the EU's ability to respond to crises.

Way ahead

13. The Council invited the High Representative to take forward work on these solutions, cooperating closely with Member States through the Political and Security Committee, the EU Military Committee and the EDA, and in consultation with relevant stakeholders. The Council invited the High Representative to present a report on the state of play by mid 2011.'

European Defence Agency

A European Defence Agency (EDA) steering board meeting, chaired by High Representative Catherine Ashton, was held in the margins of the Council.

Discussion focused on on-going work on pooling and sharing in the field of military capabilities. In this regard, the Steering Board approved a Note on Pooling and Sharing. It also approved:

- a decision on the EDA Work Programme 2011;
- a decision on Defence Data and Benchmarks;
- a decision on European Framework Cooperation – R&T Joint Investment Programme on Force Protection;
- conclusions on a ‘Level Playing Field’ (as a concept focusing on European defence companies and their ability to participate in the wider defence market);
- a decision on an EU Radio Spectrum Policy Programme.

The Steering Board also discussed implications of the Single European Sky (SES) initiative for military aviation and noted the EDA’s report on defence research at European Union level.

Common Security and Defence Policy

The Council:

- approved the Single Progress Report on the Development of EU Military Capabilities for the Second Semester of 2010. This document provides a state of play with regard to progress in EU military capabilities in the timeframe from April 2010 to October 2010.
- took note of the Report by the Head of the European Defence Agency to the Council, and
- approved Guidelines for the European Defence Agency’s Work in 2011.

CHAPTER 100

11th EU-India Summit

Brussels, 10 December 2010

Joint Statement

(...)

Bilateral issues

(...)

5. Leaders welcomed increasing cooperation in the field of security and defence. They agreed to pursue EU-India dialogue and cooperation in this area, including in the context of counter-piracy naval operations and more broadly in support of the UNSC resolutions.

6. EU and India condemned terrorism in all its forms and manifestations and reaffirmed their united stance in combating threats to international peace and security caused by terrorist acts wherever they take place. Leaders welcomed the EU-India Joint Declaration on International Terrorism.

7. Building on the 2008 EU-India Joint Work Programme on Energy, Clean Development and Climate Change, leaders reaffirmed their commitment to cooperation in these fields, with a view to enhancing energy security, energy efficiency and promoting the development of renewable energy. They agreed that the results of the Joint Work Programme should be presented at the 12th India-European Union Summit. Lastly, leaders looked forward to the early conclusion of the EU-India Agreement for Research and Development Cooperation in the Peaceful Uses of Nuclear Energy.

(...)

11. Recognising the important implications of the movement of people for India and EU, they agreed to explore initiatives that could lead to a regular, comprehensive and structured dialogue on migration issues, with a view to deepening cooperation in this field.

(...)

13. Both sides welcomed the new dynamic India-EU and Member States research and innovation partnership for more coordinated cooperation to tackle major societal challenges. The leaders agreed that cooperation partnership dialogues should be pursued so as to make a contribution to the objectives set out in the India's Decade of Innovation and the Europe 2010 Flagship Initiative Innovation Union.

(...)

Regional issues

16. EU and India reiterated their common interest in a stable, peaceful and inclusive Afghanistan free from terrorism, as well as their support to the Kabul Process building upon broad international partnership towards further Afghan responsibility and ownership in security, governance and

development. They also underlined the need for more effective regional cooperation for the stabilisation of Afghanistan and expressed their continued commitment to an ongoing dialogue to this end. The leaders agreed that terrorism must be combated firmly and expressed concern at the continuing existence of safe havens, including in the cross border dimension.

17. They acknowledged their respective humanitarian assistance to Pakistan, voiced a shared hope for a speedy recovery and emphasized that a democratic and prosperous Pakistan was in the interest of the entire region. They called upon Pakistan to expeditiously bring all the perpetrators, authors and accomplices of the Mumbai attacks to justice.

18. EU and India exchanged views on regional integration and agreed to continue efforts to enhance cooperation in the context of SAARC and other fora, as well as between SAARC and EU. Leaders recognized that closer regional cooperation is crucial for the development of South Asia.

Global issues

(...)

20. In the context of the process of negotiations on climate change EU and India voiced their firm resolve to continue working for an ambitious, comprehensive and balanced post 2012 agreement as soon as possible based on the principles of the United Nations Framework Convention on Climate Change. In parallel, EU and India are committed to further develop their bilateral cooperation and policy dialogue in this field. In particular, EU is ready to cooperate with India in implementing its National Action Plan on Climate Change.

21. EU and India reaffirmed their commitment to global and non-discriminatory disarmament and to preventing the proliferation of weapons of mass destruction and their delivery systems. Leaders pledged closer cooperation aimed at providing a robust nuclear non-proliferation regime and, in particular, looked forward to a prompt commencement of negotiations on a Fissile Material Cut-off Treaty in the Conference on Disarmament. They reaffirmed their commitment to diplomacy to resolve the Iranian nuclear issue and expressed the need for Iran to take constructive and immediate steps to meet its obligations to the IAEA and the UN Security Council.

EU-India Joint Declaration on international terrorism

The EU, its Member states and India:

Acknowledge that International Terrorism is one of the most serious threats to international peace and security;

Emphasize that EU and India stand united in combating threats to international peace and security caused by terrorist acts;

Condemn terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purpose;

Denounce those who sponsor, abet and instigate terrorism and provide terrorists safe havens;

Underline that cooperation in combating International Terrorism, including cross border terrorism is one of the key political priorities in the India-EU strategic partnership.

Recall their commitments to enhance counter terrorism cooperation, as contained in the 2005 EU-India Joint Action Plan, as well as in the 2009 EU-India Summit Declaration;

Further recall that their Strategic Partnership is rooted in shared values and principles—democracy, pluralism, constitutional and legal rights and freedoms, and the rule of law;

Attach great importance to counter terrorism cooperation in the framework of United Nations and share a commitment to universal ratification and full implementation of all UN Counter Terrorism conventions;

Reaffirm their conviction that the proposed Comprehensive Convention on International Terrorism should become a vital component of the international legal framework against terrorism, and to intensify efforts to bring negotiations to a successful conclusion.

In this spirit, India and EU have come together to declare their resolve to cooperate in combating international terrorism within the following framework, details of which will be worked out through designated authorities:

Political dialogue:

- Continue to discuss Counter Terrorism cooperation at high level meetings within our security dialogue.
- Encourage all countries to deny safe haven to terrorists and to dismantle terror infrastructure on the territories under their control.

Law enforcement and police cooperation:

- Identify, including through seminars, areas of cooperation with respect to the designated agencies, according to their respective competencies.
- Continue efforts to prevent access by terrorists to financial and other resources.
- Enhance efforts for accessing and sharing strategic information, so as to better disrupt and prevent terrorist activity.
- Intensify efforts to render the widest possible measure of mutual legal assistance and to expedite processing of extradition requests and to explore the possibility of an EU – India Mutual Legal Assistance Agreement and an EU – India Agreement on Extradition.

Research, Technology and Cybersecurity:

- Agree to closer India-EU cooperation and mutual assistance in this area.

Transport, aviation and border security:

- Work together in ICAO, to improve international security standards for passengers, cargo and mail, including in transit.
- Coordinate efforts against terrorists and terrorist groups so as to deny them safe haven and freedom of travel in accordance with international law.
- Encourage more efficient controls on issuance of identity and travel documents to prevent movement of terrorist and terrorist groups across national borders.

Consequence Management:

- Share experiences and best practices on managing the consequences of a terrorist attack.

Cooperation in the Multilateral system, including United Nations:

- Increase cooperation in multilateral fora like the UN, and intensify efforts to bring about a rapid adoption of CCIT.

- Build on the opportunities of coordination provided by the membership of Financial Action Task Force of EU Member States and India by intensifying efforts to prevent access by terrorists to financial and other resources and by sharing best practices on financial controls.
- Reaffirm commitment to implement the 2006 UN Global Counter Terrorism Strategy as a unique instrument to enhance national, regional and global efforts to counter terrorism.
- Encourage global ratification and effective implementation of all relevant conventions on counter terrorism.
- Promote initiatives, under the auspices of UN, inter alia, on Alliance of Civilization initiative, to enhance dialogue and broaden understanding among civilizations.
- The EU and India agree that an effective and comprehensive approach to diminish the long term threat of violent extremism is an important component of our efforts to combat terrorism.

European Defence Agency – UMS

Brussels, 12 December 2010

European Unmanned Maritime Systems (UMS) – Factsheet

The ‘European Unmanned Maritime Systems for Mine-Counter-Measures and other naval applications (UMS)’ is the third EDA Category A programme. It represents the first major and concrete success of an ambitious technology programme directly connected to Maritime Mine Counter Measures (MMCM), one of the twelve EDA’s Capability Development Plan priority actions decided by the Agency’s participating Member States in July 2008. Through Research & Technology (R&T), demonstrators and de-risking studies, the UMS programme will prepare the next generation of technologies of the Category B programme MMCM, currently in the preparation phase for delivering an initial capacity by 2018.

The UMS initiative is a direct output of the European Defence Research and Technology (EDRT) Strategy together with the newly created system-CapTech on ‘Naval Systems and their environment’, as it addresses one of the twenty-two R&T priorities agreed by the representatives of participating Member States. In addition it attempts to improve the current collaboration means by enabling coordination, reducing administrative burden and decreasing the ideato-contract period associated to R&T project generation.

Ten EDA Member States (Belgium, Finland, France, Germany, Italy, Netherlands, Poland, Portugal, Spain and Sweden) and Norway are contributing to the four-year 53 Million Euro programme which aims at improving naval capacities by improving the capabilities of Unmanned Maritime Systems through a system-of-systems approach while taking into account the notions of interoperability, modularity, inter-changeability of modules and standardisation. As mentioned above, UMS projects focus mainly on MCM (influence minesweeping; drifting mines detection; and buried mines detection and neutralisation) but also address other naval applications including harbour protection and antisubmarine warfare. In addition, the programme includes projects with transversal impact, studying issues such as: underwater communications; improved autonomy; network enabled coordination; interfaces and standards; and even safety and regulations for unmanned maritime vehicles. A systems-integration group has also been established to coordinate the programme and examine future UMS R&T topics such as UMS launch-and-recovery, torpedo defence and energy supply for unmanned underwater vehicles.

The programme will allow the involvement of a wide range of entities including navies, national laboratories, universities and industries. It will also increase opportunities for contributing Members to co-operate with each other and to exchange information and know-how. A considerable network of more than a hundred experts has already been established and is envisaged as the main EDA forum for addressing R&T for Unmanned Maritime Systems in the future.

Foreign Affairs Council

Brussels, 13 December 2010

Sudan – Conclusions

The Council discussed Sudan following a briefing by Rosalind Marsden, EU Special Representative, on the options for contingency planning ahead of the referendum on self-determination for Southern Sudan on 9 January and in the period following it.

The Council adopted the following conclusions:

1. The Council welcomes the completion of voter registration in Sudan as an important milestone in preparation for the Referendum on self-determination for Southern Sudan and full implementation of the Comprehensive Peace Agreement. The Council congratulates the people of Southern Sudan, the Southern Sudan Referendum Commission and UNMIS on the peaceful and orderly conduct of the registration process and urges both parties to give the Commission their full support and ensure that it can fulfil its duties.

2. The Council welcomes the commitment of both parties to hold a peaceful and timely Referendum reflecting the will of the people of Southern Sudan, and to respect its outcome. It reiterates its call on both parties to ensure that everyone can express their views freely and without fear of intimidation, whether campaigning for unity or secession. The Council calls on all parties to refrain from inflammatory rhetoric. It is essential that southerners in the North and northerners in the South are given strong reassurances that they will not be harassed regardless of the outcome of the Referendum. EU experts have been monitoring the voter registration process and a full scale Election Observation Mission will be deployed shortly. The Council also welcomes the efforts of the UN Secretary General's High Level Monitoring Panel.

3. The Council recognises that in recent weeks significant effort has gone into elaborating a framework for resolving outstanding issues relating to the future of Sudan and the implementation of the Comprehensive Peace Agreement. The Council commends the efforts made by the parties and the AU High Level Implementation Panel chaired by President Mbeki in this regard and urges the parties to finalise the Framework Agreement and engage constructively to resolve key outstanding issues as soon as possible.

4. The Council is deeply concerned about the delay in resolving the issue of Abyei and calls on the parties to reach an early and equitable solution that maintains peace and stability in the area and reassures the communities that their rights will be respected.

5. Recalling its Conclusions of 22 November 2010, the Council reiterates the commitment of the EU, as a witness to the Comprehensive Peace Agreement, to assist Sudan for the rest of the interim period and beyond in order to promote lasting peace, stability, and prosperity for all Sudanese people, regardless of the outcome of the Referendum.

6. In this context, the EU and its Member States are ready to step up engagement with the Government of Sudan and are prepared to establish a long-term dialogue on issues of common interest. Recognising the political and economic challenges ahead, regardless of the outcome of the Referendum, the EU also remains committed to providing assistance to the people in the North, according to needs.

7. The Council also underlines the importance it attaches to finding a lasting solution to Sudan's debt burden. It commits to examine closely possible EU support for an international debt relief effort through the IMF, the World Bank, and the Paris Club, consistent with political progress in Sudan.

8. The EU is committed to assist vulnerable populations in war-affected areas in Sudan, including in Darfur, the East, the Transitional Areas (Abyei, Southern Kordofan and Blue Nile), and the South. Out of the €150 million already allocated for this purpose, the EU announced at the international donors' and investors' conference in Kuwait on 1-2 December 2010 that it plans to allocate € 24 million for Eastern Sudan. In the north-south border area, the EU is ready to support grass roots peace building initiatives, improved livelihoods for vulnerable nomadic population groups, and the strengthening of the cross border links to facilitate the free movement of people, goods, and services. This is in addition to the substantial support provided by EU Member States through their bilateral programmes.

9. The EU and its Member States are willing to increase their support to Southern Sudan, regardless of the outcome of the Referendum. The EU is ready to accelerate its efforts to support basic services and agricultural development. Stressing the importance of a strong commitment by the Government of Southern Sudan to address the huge challenges it faces, the EU is also prepared to engage with the Government of Southern Sudan and other partners in supporting effective institutional capacity building.

10. The Council supports the ongoing UN-led preparations to be ready to respond to possible additional humanitarian needs and other challenges that might arise in relation to the Referendum.

The EU and its Member States are providing timely and substantial humanitarian funding for that purpose. In this context, the EU urges the parties to guarantee unimpeded access by humanitarian actors to all populations in need.

11. With regard to Darfur, the Council appeals to the Government of Sudan and all the armed movements to commit to a cessation of hostilities, to engage fully in the Doha negotiations, and to demonstrate their willingness to make real compromises to secure a just, comprehensive and inclusive peace agreement with the support of the people of Darfur. The Council remains deeply concerned about the humanitarian and security situation on the ground, including the harassment and kidnapping of humanitarian aid workers and peace keepers. The Council calls for the immediate release of the Hungarian citizen who is still being held hostage.

12. The Council also calls for immediate unhindered access to all populations in need, in particular in Eastern Jebel Mara. The EU is ready to engage with the Government of Sudan on the issue of the voluntary return of IDPs strictly in accordance with humanitarian principles.

13. The Council recalls the obligation of the Government of Sudan to cooperate with the International Criminal Court pursuant to UNSC Resolution 1593.'

Somalia

The Council had a broad political discussion on the situation in Somalia, following the formation of a new cabinet in Mogadishu after months of political crisis. It reviewed the various aspects of the EU's comprehensive engagement in support of the Transitional Federal Government, including the EU Training Mission, which has successfully completed half its mandate, as well as the anti-piracy operation.

Côte d'Ivoire – Conclusions

The Council exchanged views on the situation in Côte d'Ivoire following the recent presidential election. It adopted the following conclusions:

1. The Council emphasises the importance of the presidential election held on 31 October and 28 November for the return of Côte d'Ivoire to peace and stability.
2. The Council congratulates the Ivorian people on their participation in very large numbers in the two rounds of the election, which demonstrates their attachment to democracy and their desire for reconciliation, peace and stability. It is imperative that the sovereign wish expressed by the Ivorian people be respected.
3. The Council expresses its full support for the action of the United Nations in Côte d'Ivoire, and takes note of the conclusions of the Special Representative of the Secretary-General in the context of his certification mandate. It congratulates Mr Alassan Ouattara on his election as President of the Republic of Côte d'Ivoire. The Council calls for calm and responsibility, so that there can be a peaceful handover of power.
4. The Council welcomes the rapid mobilisation and supports the firm and clear decisions in favour of democracy taken by the African Union and ECOWAS, as set out in the United Nations Security Council press statement of 8 December 2010.
5. The Council has considered how to react to the situation in Côte d'Ivoire. It has decided to adopt without delay targeted restrictive measures against those who are obstructing the process of peace and national reconciliation, and in particular who are jeopardising the proper outcome of the electoral process. Those measures will include a visa ban and an assets freeze. They will particularly target those leading figures who have refused to place themselves under the authority of the democratically elected President, of whom an initial list should be adopted rapidly. The European Union has also decided to take measures in support of the democratically elected authorities. To this end, the Council invites the High Representative, with the support of the Commission, to make proposals to this effect.
6. The Council calls on all Ivorian leaders, both civilian and military, to work for a peaceful and rapid solution to the crisis and to ensure the security of the whole population, both Ivorians and foreigners. All those who use violence to oppose the democratic choice of the Ivorian people will be held responsible for their actions.'

Afghanistan

Following the discussion by development ministers of 9 December on the EU-Afghanistan strategy, the Council exchanged views on the political situation in Afghanistan after the elections. It underlined the EU's commitment and the need for long-term engagement, expressing appreciation for the work of EU Special Representative Vygaudas Ušackas. It looked at the specific areas where the EU can apply its strengths, with the justice sector, human and notably women's rights, civil service reform, electoral reform and police reform - with EUPOL Afghanistan playing an important role – as the main priorities.

Middle East Peace Process – Conclusions

The Council discussed the latest developments in the Middle East and stated its readiness to support the economic recovery and development of Gaza with infrastructure, equipment and training measures related to the Gaza crossing points. It adopted the following conclusions:

1. The EU believes that urgent progress is needed towards a two state solution to the Israeli-Palestinian conflict. We want to see the State of Israel and a sovereign, independent, democratic, contiguous and viable State of Palestine living side by side in peace and security. The legitimacy of the State of Israel and the right of Palestinians to achieve statehood must never be called into question.

2. The EU notes with regret that Israel has not extended the moratorium as requested by the EU, the US and the Quartet. Our views on settlements, including in East Jerusalem, are clear: they are illegal under international law and an obstacle to peace. We reiterate our views on the status of Jerusalem and repeat our call for all parties to refrain from provocative unilateral actions and violence.

3. The EU affirms its readiness to contribute to a negotiated solution on all final status issues within the 12 months set by the Quartet. To this end, the EU will continue to work closely with the parties and reaffirms its support to the US efforts in order to bring the parties back to the negotiating table. The EU stresses the importance of intensified coordination within the Quartet as well as of close cooperation with Arab partners, building on the Arab Peace Initiative. The EU underlines the urgency of finding a negotiated solution and urges the parties to refrain from actions that undermine the prospects of peace. The EU remains committed to contribute substantially to post-conflict arrangements.

4. Council Conclusions of December 2009 set out the EU's views on the key parameters, principles and issues. We reiterate those Conclusions. The EU will not recognize any changes to the pre-1967 borders, including with regard to Jerusalem, other than those agreed by the parties. This could include agreed territorial swaps. A way must be found through negotiations to resolve the status of Jerusalem as the future capital of two states. The EU calls for an agreed, just, fair and realistic solution to the refugee question. A negotiated settlement must allow the two States to live side by side in peace and security.

5. The EU commends the work of the Palestinian Authority in building the institutions of the future State of Palestine and reiterates its full support for their endeavours in this regard and the Fayyad plan. Recalling the Berlin Declaration, the Council reiterates its readiness, when appropriate, to recognize a Palestinian state. We welcome the World Bank's assessment that "if

the Palestinian Authority maintains its current performance in institution building and delivery of public services, it is well positioned for the establishment of a State at any point in the near future". The EU remains ready to develop further its bilateral relations with Israel within the framework defined at the Association Council of June 2009 and by its conclusions of December 2009. Within the framework of these conclusions, the EU is also ready to develop further its bilateral relations with the Palestinian Authority.

6. The EU recalls that peace in the Middle East should be comprehensive and reiterates the importance of negotiations on the Israel-Syria and Israel-Lebanon tracks. Peace should lead to the full integration of Israel in its regional environment, along the lines set out in the Arab Peace Initiative.

7. Recalling the Council Conclusions of June 2010, the EU remains extremely concerned by the prevailing situation in Gaza. The EU reiterates its call for the immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza. Despite some progress following the decision of the Israeli government of 20 June 2010 to ease the closure, changes on the ground have been limited and insufficient so far. Further efforts and complementary measures are needed to achieve a fundamental change of policy that allows for the reconstruction and economic recovery of Gaza as well as improve the daily lives of the population while addressing Israel's legitimate security concerns. The Council calls on those holding the abducted Israeli soldier Gilad Shalit to release him without delay. The Council calls for a complete stop of rocket attacks at Israel and all other forms of violence.

8. Palestinian exports are an essential component of Gaza's recovery. In this respect, the EU welcomes the recent announcement by the Israeli government concerning new measures to facilitate exports out of Gaza. We encourage a swift implementation by Israel and are ready to work with Israel towards achieving pre-2007 levels of exports in 2011 to produce real change on the ground. Increased and accelerated imports of construction materials are another crucial component of Gaza's recovery and also for building schools and health centres.

9. The EU recalls its readiness to assist in the reconstruction and economic recovery of Gaza in close partnership with the Palestinian Authority and the Israeli government, in line with UNSC Resolution 1860 and on the basis of the 2005 Agreement on Movement and Access. As parts of a comprehensive EU approach, including CSDP missions, the EU is ready to extend its support to improvements to the crossings infrastructure, to purchase and install the necessary equipment and also to train Palestinian border and crossings management personnel to operate the crossings.'

Western Balkans

The Council took stock of the EU's relations with the Western Balkans and the latest developments in the region ahead of the General Affairs Council's adoption of its conclusions on the enlargement package on 14 December. It focused chiefly on Kosovo and Serbia, touching briefly on the elections in Bosnia and Herzegovina, pending a more detailed discussion at the January Council. Following the meeting, the High Representative welcomed the orderly conduct of the elections in Kosovo and looked forward to working with the new government and president on the EU agenda. She hoped that the dialogue between Belgrade and Pristina would begin soon and that both sides would engage constructively.

Iran

The High Representative briefed ministers over dinner on the talks that she conducted on behalf of the E3+3 countries (France, Germany, UK, China, Russia and the US) with the Iranian nuclear negotiator in Geneva on 6 and 7 December.
(...)

Zone free of mass destruction weapons

The Council adopted a decision in support of a process of confidence-building leading to the establishment of a zone free of weapons of mass destruction and their means of delivery in the Middle East in support of the implementation of the EU strategy against the proliferation of weapons of mass destruction

Weapons of mass destruction – Progress report – Conclusions

The Council endorsed a six-monthly progress report on the implementation of the EU Strategy against the proliferation of weapons of mass destruction covering activities during the second half of 2010. On 9 December 2003 the European Council adopted an EU strategy against the proliferation of WMD, which provides for a six-monthly debate in the Council on the implementation of the strategy. The Council adopted conclusions set out in doc. 16670/10

Combating illicit accumulation and trafficking of small arms

The Council endorsed a report on the efforts undertaken by the EU during the second half of 2010 to combat illicit accumulation and trafficking of small arms and light weapons and their ammunition in accordance with the strategy on this matter, adopted by the European Council in December 2005 (EU SALW strategy). This strategy includes continuous monitoring by means of regular six-monthly reports on its implementation.

Arms exports control system – Annual report

The Council took note of the twelfth report on the common rules governing control of exports of military technology and equipment.

Common position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment provides in article 8 that a report has to be submitted to the Council yearly.

Democracy support in the EU's External Relations – 2010 progress report – Conclusions

The Council adopted conclusions welcoming the report by the Commission and Council Secretariat on the progress in implementing the Council conclusions of November 2009 on democracy support in the EU's external relations. It endorsed the proposed list of countries for more specific follow-up with pilot projects.

The Council adopted the following conclusions:

1. The Council welcomes the Report on the implementation of the Council Conclusions on Democracy Support in the EU's External Relations, adopted in November 2009. The Council takes note of progress achieved in implementing the Council Conclusions, endorses the list of proposed countries for pilot implementation of the Agenda for Action and welcomes further efforts in order to continue to strengthen the coherence, coordination and effectiveness of democracy support in the external relations of the EU.

2. The Council invites the High Representative of the Union for Foreign Affairs and Security Policy and the Commission, in co-operation with Member States, to commence implementing the Agenda for Action, starting with the proposed pilot countries. As a first step, a course of action and a timetable for implementation should be drawn up in partnership with the proposed pilot countries.

3. The Council asks the High Representative and the Commission to regularly inform relevant Council formations on progress achieved in the pilot countries and to prepare a comprehensive report on the implementation of the Agenda for Action in all regions once the ongoing evaluations in the field of democracy support-related co-operation have been finalised by early 2012.

List of proposed pilot countries

Republic of Moldova – for Eastern Neighbourhood

Kyrgyzstan – Central Asia

Lebanon – for Southern Neighbourhood

Ghana, Benin, Solomon Islands and Central African Republic – for ACP

Bolivia – for Latin America

Mongolia, Philippines, Indonesia and Maldives – in Asia

The Council adopted the progress report set out in 17611/10

Financial instrument for promotion of democracy and human rights worldwide

The Council adopted its position at first reading on a Commission proposal to amend Regulation 1889/2006 on establishing a financing instrument for the promotion of democracy and human rights world-wide. The purpose of the amendment proposed by the Commission is to ensure the consistency of the EU financial instruments for external action and to allow minimal but necessary flexibility in their implementation. The Council accepts the Commission's proposed amendment and some technical amendments tabled by the European Parliament for the purpose of clarity and accuracy.

Common Security and Defence Policy

Mainstreaming human rights and gender issues into CSDP operations and missions

The Council approved the recommendations contained in a report on lessons learnt and best practices as regards mainstreaming human rights and gender issues into military operations and civilian missions in the framework of the Common Security and Defence Policy (CSDP).

The recommendations include, among other things, taking account of these issues in mission planning and evaluation, ensuring adequate training, improving the gender balance of the staff deployed, increasing communication on human rights and gender issues, and promoting active participation of women in negotiations and political work.

EU Civilian and military capability development beyond 2010

The Council endorsed a document on EU civilian and military capability development beyond 2010.

Civilian Headline Goal 2010

The Council took note of the final report on the Civilian Headline Goal 2010.

The Civilian Headline Goal 2010 was the strategic EU platform for planning and reporting on civilian capability development under the Common Security and Defence Policy. It succeeded the Civilian Headline Goal 2008, aligning the time horizon of the civilian capability development process with that of the military Headline Goal 2010.

Deployment of civilian personnel to CSDP Missions

The Council approved a second report on member states' progress in facilitating the deployment of civilian personnel to CSDP missions.

Council conclusions on the new lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems

The Council adopted the following conclusions:

'The Council recalls that the European Security Strategy identifies proliferation of weapons of mass destruction as one of the greatest threats to European and international security. The European Union has an effective framework in place to respond to this global security challenge, as set out in the EU Strategy against the Proliferation of Weapons of Mass Destruction adopted by the European Council in December 2003.

In December 2008, the Council adopted a document "New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems" (doc. 17172/08) with the aim to further improve the implementation of the EU WMD Strategy and make non-proliferation a cross-cutting priority in EU and Member States' policies. The Council welcomes the ongoing efforts towards implementing this action plan, but realises that some of the objectives of the action plan need further efforts. The Council encourages competent EU Institutions and Member States to take further initiatives to achieve the complete implementation of the action plan in each policy sector by the end of 2012 and underlines the importance of preventing proliferation through targeted and coordinated action not just in the foreign and security policy, but in all key policies. The Council notes with satisfaction the EU's active cooperation with third countries and international organisations that will benefit the strengthening of the global non-proliferation regime and the multilateral system.'

General Affairs Council

Brussels, 14 December 2010

European disaster response – Conclusions

The Council adopted the following conclusions:

1. Considering that the Union's territory and citizens are increasingly exposed to the impact of disasters, as are many countries and regions around the world especially in developing countries, with a corresponding increase in the loss of life, economic, social and environmental damages, and that an approach that links disaster response with disaster prevention, disaster risk reduction and preparedness, is the best way to manage these risks;
2. Pointing out that measures taken at the EU level to improve disaster response should not in any way undermine Member States' own responsibility to take action and build up the necessary capacity in areas of prevention, preparedness and response, and that Member States will retain full control of their national assets (see *inter alia* Article 196 TFEU);
3. Considering that EU disaster response is primarily delivered through humanitarian assistance and through civil protection assets; that this response may also make use of CSDP and/or military assets in particular for the delivery of relief assistance when the need arises, in line with established international guidelines, in particular the principles laid down in the Oslo guidelines; and that improved cooperation with other relevant international bodies should minimise duplication of effort;
4. Considering that appropriate coordination must be ensured at the EU level taking into account the roles of the Commission, the High Representative for Foreign Affairs and Security Policy and the European External Action Service, under the institutional architecture and responsibilities defined by the Lisbon Treaty;
5. Underlining that European relief assistance outside the Union is needs-driven and bound by internationally agreed humanitarian principles (humanity, neutrality, impartiality and independence) and guidelines, as enshrined in the European Consensus on Humanitarian Aid;
6. Reaffirming in particular the central coordinating role of the UN as set out in the European Consensus on humanitarian aid, the Council decision establishing a Community Civil Protection Mechanism and in accordance with the Council conclusions of 28 November 2008 on strengthening relations between the European Union and the United Nations as regards disaster response capacity.

The Council of the European Union

7. Welcomes the Communication from the Commission to the European Parliament and the Council – *'Towards a stronger European disaster response: the role of civil protection and humanitarian*

assistance' and its general objectives aiming at a more predictable, effective, efficient, coherent and visible European response to disasters;

8. Agrees that an enhanced, cost-effective European response must follow an all-hazard approach, should bring together all relevant players, in particular civil protection and humanitarian assistance actors, and should ensure consistency and synergies between the different instruments;

9. Underlines that an effective crisis emergency centre requires a 24/7 operational capacity and should provide a coordination platform supporting other European services dealing with major disasters; Welcomes the Commission's decision to merge the ECHO crisis room and the MIC to create an Emergency Response Centre that must be able, in full compliance with paragraph 2, to improve planning and coordination;

10. Recognises that lessons learnt from recent disasters suggest that, even though the EU response has been effective and swift, there is room for improvement; notes that the Commission communication puts forward many interesting suggestions to this effect; and Considers that, subject to the discussions that the competent Council formations and Working Parties will have on the revised legal instruments that the Commission is expected to propose in 2011, an enhanced European disaster response might include:

- improved planning of interventions where appropriate, through the use and improvement of reference scenarios constructed on the basis of comprehensive and high quality risk assessments;
- more predictable availability of Member States key assets, *inter alia* by setting up a pool of pre-identified assets, available within pre-agreed response times, to be deployed through a voluntary commitment from Member States to make these assets available on a voluntary basis for European disaster relief interventions both inside and outside the Union (with Member States retaining full authority over their assets, their deployment and at all times retaining full right of use over these assets);
- an approach which takes also into account regional needs, shared extreme risks and, bearing in mind the previous point, the common use of certain assets, based on the principles outlined in paragraph 2;
- improved, more cost effective and well-coordinated transport of in-kind assistance to disaster sites;
- improved joint, cross-sectoral and comparable needs assessment in order to ensure well-informed decision-making;
- better and strengthened contributions to the efforts of central international players, in particular with the UN, by optimising synergies and information-sharing, *inter alia* through the deployment and secondment of EU staff to the local UN coordination system;
- a comprehensive communications strategy, involving all EU institutions and Member States, that will improve the overall visibility of the European actions;
- improved EU assessment for interventions in third countries, with a view to supporting the central coordinating role of the UN;

11. Notes that the legislative proposals brought forward by the Commission will be dealt with by the competent Council formations and working parties;

12. Considers the Commission proposals as a building block of a broader and more coherent effort towards a strengthened European disaster response and therefore looks also forward to examining the forthcoming proposals of the High Representative for Foreign Affairs and Security Policy and the Commission regarding the further developments, notably on the use of CSDP and/or military capabilities as part of the European disaster response and the proposal to implement Article 222 (solidarity clause), having regard to the Decision of the Heads of

State and Government annexed to the European Council conclusions of June 2009, and Article 20(2c) of the Treaty (consular protection) and on coordination, coherence and consistency in the context of EU crisis response and management.’

Enlargement – Conclusions

(...)

WESTERN BALKANS

The Council reaffirms its unequivocal commitment to the European perspective of the Western Balkans, as was reconfirmed at the High Level Meeting on the Western Balkans in Sarajevo on 2 June 2010, which remains essential for the stability, reconciliation and future of the region. It also reaffirms the need for fair and rigorous conditionality, in the framework of the Stabilisation and Association Process and in accordance with the renewed consensus on enlargement approved by the European Council on 14 and 15 December 2006.

The Council recalls that by making solid progress in economic and political reform and by fulfilling the necessary conditions and requirements, the remaining potential candidates in the Western Balkans should achieve candidate status, according to their own merits, with European Union membership as ultimate goal. Further, a country’s satisfactory track record in implementing its obligations under the Stabilisation and Association Agreements, including trade-related provisions, is an essential element for the EU to consider any membership application.

The Council welcomes the amendments to Council Regulation (EC) No 539/2001, as it applies to Member States, so as to establish a visa-free regime for the citizens of Albania and Bosnia and Herzegovina starting from 15 December 2010. This demonstrates that the implementation of concrete reforms brings tangible results to the citizens. The Council considers that further efforts are needed by the countries concerned to inform their citizens about the scope and limits of the visa-free regime, to monitor closely its implementation and, where required, take adequate corrective measures. In this respect, the Council welcomes the statement entered in the minutes of the Council meeting of 8 November 2010 and encourages the Commission to continue to closely monitor the implementation of all conditions set for the visa liberalisation, through its follow-up mechanism, including reporting regularly to the Council and the European Parliament.

The Council reaffirms that Kosovo will also benefit from the perspective of eventual visa liberalisation once all conditions are met. The Council underlines that further progress in the area of justice, freedom and security is essential. The Council takes note of the recent progress Kosovo made in adopting the legislation on readmission, in devising an Action Plan on reintegration of returnees underpinned with earmarked resources. The Council takes note of the Commission’s intention to launch a visa liberalisation dialogue once all conditions are met and the Commission’s intention, before launching such a dialogue, to share its assessment with the Council on the fulfilment of these conditions.

The Council welcomes that further progress was made by the Western Balkan countries regarding reconciliation and regional cooperation, while stressing that the inclusiveness of this process must be ensured by all parties concerned. The Council welcomes the adoption of a new comprehensive and operational strategy by the Regional Cooperation Council (RCC) and encourages the RCC to focus on its implementation in active cooperation with the SEECP.

Regional cooperation remains an essential element of the Stabilisation and Association Process and in fostering good neighbourly relations.

The Council stresses the importance of protection of all minorities and encourages the governments of the region to take the necessary action to address these issues.

Former Yugoslav Republic of Macedonia

The Council welcomes that the Former Yugoslav Republic of Macedonia has achieved further progress in key reform areas such as police reform, albeit at an uneven pace. The country continues to fulfil its commitments under the Stabilisation and Association Agreement. The Council expects the country to keep the momentum of the reform agenda. The country needs to make further progress in relation to dialogue among political actors, judiciary and public administration reform, the fight against corruption, freedom of expression and improving the business environment. The implementation of the Ohrid Framework Agreement remains an essential element of democracy and the rule of law in the country.

The Council broadly shares the Commission's assessment of the country's sufficient fulfilment of the political criteria and notes that the Commission has reiterated its recommendation that accession negotiations should be opened with the Former Yugoslav Republic of Macedonia. The Council is ready to return to the matter during the next Presidency.

Maintaining good neighbourly relations, including a negotiated and mutually accepted solution to the name issue, under the auspices of the UN, is essential. The Council welcomes the ongoing high-level dialogue and looks forward to it bringing results shortly.

Montenegro

The Council welcomes the Commission's Opinion on the Montenegro application for EU membership. Montenegro has made progress towards meeting the political criteria set by the Copenhagen European Council and the Stabilisation and Association Process requirements. As regards the economic criteria, Montenegro has achieved a certain degree of macroeconomic stability. Montenegro's track record in implementing its obligations under the Stabilisation and Association Agreement is positive overall. Montenegro would be in a position to take on the obligations of membership in the medium term in most of the *acquis* fields.

Nonetheless, further efforts are needed, in particular on the implementation of the seven key priorities set out in the Commission's Opinion on Montenegro which need to be addressed. These key priorities focus on the rule of law, judicial reform, electoral reform, the role of parliament, public administration reform, media freedom and cooperation with civil society, addressing discrimination and the situation of displaced persons, and especially the fight against organised crime and corruption.

The Council notes that the opening of accession negotiations will be considered by the European Council, in line with established practice, once the Commission has assessed that Montenegro has achieved the necessary degree of compliance with the membership criteria and has met in particular the key priorities set out in the Commission's Opinion on the country. The Council invites the Commission to focus its 2011 progress report on Montenegro in particular on the implementation of these key priorities which need to be addressed and will return to this issue when the Commission has assessed that these conditions have been met.

In the light of the progress made by Montenegro, the Council welcomes the positive assessment of the Commission and notes that its recommendation of granting candidate status will be considered by the European Council.

Albania

The Council welcomes the Commission's Opinion on the Albania application for EU membership. Albania has made progress towards meeting the political criteria set by the Copenhagen European Council and the Stabilisation and Association Process requirements. As regards the economic criteria, Albania has achieved a certain degree of macroeconomic stability. Albania's track record in implementing its obligations under the Stabilisation and Association Agreement is positive overall. Albania would be in a position to take on the obligations of membership in the medium term in most of the *acquis* fields.

Further efforts are needed, in particular on the implementation of the twelve key priorities set out in the Commission's Opinion on Albania which need to be addressed. These key priorities focus on the stability of institutions guaranteeing democracy, the rule of law, judicial reform, the fight against corruption and organised crime, electoral reform, public administration reform and the protection of human rights including property rights. The Council strongly encourages the political parties to overcome the current political stalemate by establishing a constructive and sustained political dialogue to ensure the proper functioning of parliament.

The Council notes that the opening of accession negotiations will be considered by the European Council, in line with established practice, once the Commission has assessed that Albania has achieved the necessary degree of compliance with the membership criteria and has met in particular the key priorities set out in the Commission's Opinion on the country. The Council invites the Commission to focus its 2011 progress report on Albania in particular on the implementation of these key priorities which need to be addressed and will return to this issue when the Commission has assessed that these conditions have been met.

Serbia

The Council welcomes the continued implementation of Serbia's reform agenda, further building up its track-record in implementing the provisions of the Interim Agreement with the EU. Serbia has made further good progress towards complying with the Stabilisation and Association Agreement obligations. Additional efforts are required in particular concerning public administration reform, the rule of law including judicial reform, the fight against corruption and organised crime and improving the business environment. The Council reiterates that Serbia can accelerate its progress towards the EU, including candidate status, as soon as all the necessary conditions are met.

The Council welcomes the several important steps Serbia has taken towards reconciliation and cooperation in the region. The Council also welcomes the cooperation with the EU that led to the adoption and co-sponsorship of the UN General Assembly Resolution 64/298. The Council encourages Serbia to further strengthen its cooperation with the EULEX rule of law mission especially with respect to the north of Kosovo. A constructive approach towards inclusive regional cooperation, including trade, remains essential.

The Council reiterates the readiness of the EU to facilitate a process of dialogue between Belgrade and Pristina, welcomed in the UN General Assembly Resolution 64/298, to promote cooperation, achieve progress on the path to the EU and improve the lives of people and welcomes Serbia's commitment to engage on this basis. The process of dialogue in itself would be a factor for peace, security and stability in the region. The Council calls on both parties to begin the dialogue quickly and in a constructive spirit.

The Council notes that Serbia has maintained its cooperation with the ICTY with a view to delivering further positive results. However, the two remaining ICTY fugitives are still at large. The Council will closely monitor the progress reports by the Office of the Prosecutor.

Reiterating its conclusions of 25 October 2010, in line with the political criteria of Copenhagen, full cooperation with ICTY remains an essential condition for membership of the EU.

The Council recalls that it invited the Commission in October 2010 to submit its opinion on Serbia's application for European Union membership. It will return to the matter when the Commission has presented its opinion.

Bosnia and Herzegovina

The Council welcomes Bosnia and Herzegovina's recent steps towards improved regional co-operation and reconciliation. Bosnia and Herzegovina has made good progress related to visa-liberalisation, and the Council encourages the country to match this progress in other EU related reform areas. The council welcomes the increased turnout and the orderly conduct of the 3 October elections in BiH, which were generally in line with international standards.

The Council reiterates its call on the newly elected leaders of the country to engage constructively in political dialogue in order to develop a shared vision on the future of the country and to anchor the EU agenda at the heart of their governments' programme. The EU reiterates its unequivocal commitment to the European perspective of BiH. It also reaffirms its unequivocal commitment to the territorial integrity of BiH as a sovereign and united country.

The country needs to urgently address the political criteria, align itself with its obligations under the SAA/IA and speed up the relevant reforms which are essential for further progress towards EU-membership. Such further steps, preceding a credible application for EU-membership, will be considered by the Council in line with the progress Bosnia and Herzegovina still needs to achieve. Bosnia and Herzegovina needs to align its constitutional framework with the European Convention on Human Rights. The Council stresses the importance of improving and strengthening the efficient functioning of the state and the institutions, including through necessary constitutional changes. In particular, the country will need to be in a position to adopt, implement and enforce the laws and rules of the EU.

The Council reaffirms its full support for the HR/EUSR Valentin Inzko. The Council calls on Bosnia and Herzegovina to meet the outstanding objectives and conditions which remain necessary for the closure of the OHR. The EU, including through a future reinforced EU Delegation, will assist Bosnia and Herzegovina in implementing the objectives of the EU agenda. The Council remains determined to support the Dayton/Paris Peace Agreement and looks forward to proposals from the High Representative of the Union for Foreign Affairs and Security Policy to strengthen the EU's ability to effectively engage with Bosnia and Herzegovina in this regard.

Kosovo

The Council welcomes Kosovo's strengthened commitment to its European agenda and the establishment of a ministry for European Integration and the progress in strengthening executive and parliamentary structures in this regard. The Council welcomes in particular the successful conduct of the Stabilisation and Association Process dialogue with the European Union. It notes that the decentralisation process in Kosovo has advanced significantly. The Council welcomes the calm and generally orderly manner in which the elections of 12 December were held and looks forward to a rapid formation of government, following the certification of the elections by the Central Electoral Commission which should deal with any complaints and appeals in line with the relevant laws and regulations. The Council stresses that major challenges remain. These include rule of law, public administration reform, the fight against organised crime, corruption, money laundering, migration, asylum, ensuring freedom of expression, the protection and integration of Serbs and other minorities as well as enhancing dialogue and reconciliation

between the communities. The Council encourages Kosovo to continue to cooperate with EULEX and to ensure support for EULEX's work. A constructive approach towards inclusive regional cooperation, including trade, remains essential.

The Council reiterates the readiness of the EU to facilitate a process of dialogue between Pristina and Belgrade, welcomed in UN General Assembly Resolution 64/298, to promote cooperation, achieve progress on the path to the EU and improve the lives of people and welcomes Kosovo's commitment to engage on this basis. The process of dialogue in itself would be a factor for peace, security and stability in the region. The Council calls on both parties to begin the dialogue quickly and in a constructive spirit.

In line with the relevant Council Conclusions, the Council welcomes the Commission's ongoing efforts to support Kosovo's progress towards the EU in line with the European perspective of the region. In this regard, the Council takes good note of the Commission's work in implementing its October 2009 communication in line with the European Council conclusions of June 2008.

The Council looks forward to a Commission proposal that will allow Kosovo's participation in Union programmes and calls on the Commission to continue assisting Kosovo in its efforts to meet the relevant requirements for a strengthened trade relationship.'

CHAPTER 104

Middle East Peace Process – Statement by Catherine Ashton

Brussels, 16 December 2010

‘I have met Senator Mitchell who has just returned from his mission to the Middle East to discuss the latest developments in the peace process.

On the occasion of our meeting we recall that the European Union and the United States are firmly committed to working in concert to make progress towards Israeli-Palestinian peace and the establishment of a contiguous, viable and sovereign state of Palestine alongside a secure state of Israel. We believe that urgent progress is needed towards a two state solution to the Israeli-Palestinian conflict that ends the occupation that began in 1967. We recognize that our common goals for peace and security in the Middle East should be achieved through negotiations and with the support of the international community. The US and the EU have recommended immediate engagement by the parties with the US on the core issues of the conflict, the US as outlined by the Secretary in her speech on December 10, 2010 and the EU in its Council Conclusions on December 13, 2010. We urge the parties to make progress on this approach.

In those discussions, the parties must take into consideration Israel’s legitimate security concerns and the Palestinian’s legitimate national aspirations. The US and the EU reiterate their call for the immediate and unconditional release of Gilad Shalit.

The EU and the US stress the importance of intensified coordination within the Quartet, as well as of close cooperation with Arab partners, building on the Arab Peace Initiative.

The EU and the US commend the work of the Palestinian Authority in building the institutions of the future State of Palestine. We reaffirm our commitment to continue to work in partnership, along with their allies around the globe, to support the work of the PA to build the institutions of its future state.

We expressed our continued concern about the situation in Gaza.

I reiterated to Senator Mitchell EU policy calling for the immediate, sustained and unconditional opening of crossings to allow the flow of humanitarian aid, exports and people. We appreciate the Government of Israel’s recent decision to ease the closure. We encourage a swift implementation and further efforts and complimentary measures in order to achieve a fundamental change of policy that allows for the reconstruction and economic recovery of Gaza. The EU is ready to continue providing institution building support to the PA to increase capacity at the crossings. Increased and accelerated imports of construction materials are another crucial component of Gaza’s recovery, for the priorities identified by the PA and the international community, including water infrastructure, schools, and health facilities.’

European Council Conclusions

Brussels, 16-17 December 2010

I. Economic policy

1. The European Council welcomed the report presented by its President following up on its conclusions of 28 and 29 October 2010. It agreed that the Treaty should be amended in order for a permanent mechanism to be established by the Member States of the euro area to safeguard the financial stability of the euro area as whole (European Stability Mechanism). This mechanism will replace the European Financial Stability Facility (EFSF) and the European Financial Stabilisation Mechanism (EFSM), which will remain in force until June 2013. As this mechanism is designed to safeguard the financial stability of the euro area as whole, the European Council agreed that Article 122(2) TFEU will no longer be needed for such purposes. Heads of State or Government therefore agreed that it should not be used for such purposes.

2. The European Council agreed on the text of the draft decision amending the TFEU set out in annex I. It decided to immediately launch the simplified revision procedure provided for in Article 48(6) TEU. The consultation of the institutions concerned should be concluded on time to allow the formal adoption of the decision in March 2011, completion of national approval procedures by the end of 2012, and entry into force on 1 January 2013.

3. The European Council also called for Finance Ministers of the euro area and the Commission to finalise work on the intergovernmental arrangement setting up the future mechanism by March 2011, integrating the general features set out in the Eurogroup statement of 28 November 2010, which the European Council endorsed (annex II). The mechanism will be activated by mutual agreement of the euro area Member States in case of risk to the stability of the euro area as a whole.

4. Member States whose currency is not the euro will, if they so wish, be involved in this work. They may decide to participate in operations conducted by the mechanism on an ad hoc basis.

5. The European Council called for the acceleration of the work on the six legislative proposals on economic governance, building on the recommendations of the Task Force endorsed last October and keeping a high level of ambition, so that they can be adopted by June 2011. It welcomed the Council's report on the treatment of systemic pension reform under the Stability and Growth Pact and called for the report to be reflected in the specifications on the implementation of the reformed SGP.

6. Recalling its conclusions of October 2010, the European Council looked forward to the Commission's intention to make proposals for the new multiannual financial framework by June 2011 and invited the institutions to cooperate in order to facilitate its timely adoption.

7. The new Europe 2020 strategy for jobs and growth will continue to guide the Union and the Member States in responding to the crisis and promoting the delivery of structural reforms. The European Council welcomed the progress achieved since the launch of the strategy, as shown in the report presented by the Presidency.
8. The European Council welcomed the Statement by the Heads of State or Government of the euro area and the EU institutions (annex III).

II. Other issues

9. The European Council welcomed the first progress report presented by the High Representative on the European Union's relations with its strategic partners. On this basis, the European Council invited the High Representative, in close cooperation with the Commission and the Foreign Affairs Council, to take this work forward in line with its conclusions of September 2010, setting out common European interests and identifying all possible leverages to achieve them. The European Council will take stock of progress once a year and, where necessary, set orientations. The launch of the EEAS and its coordinating role provide a valuable opportunity to step up this work.
10. The European Council endorsed the Council's conclusions of 14 December 2010 on enlargement and agreed to give Montenegro the status of candidate country.
11. The European Council condemned the violence perpetrated since the second round of the presidential election in Côte d'Ivoire, in particular the recourse to violence against civilians on 16 December. It called firmly on all the parties to act with restraint. It recalled the availability expressed by the International Criminal Court to prosecute the persons responsible for such acts. It called on all Ivorian leaders, both civilian and military who have not yet done so, to place themselves under the authority of the democratically elected President, Mr Alassan Ouattara. It confirmed the determination of the EU to take targeted restrictive measures against those who would continue to obstruct the respect of the sovereign will expressed by the Ivorian people.
12. The European Council welcomed the successful outcome of the COP-16 in Cancun as an important step forward in global efforts to reach the agreed objective of staying below 2°C increase in global temperatures, and noted with satisfaction the successful implementation of the strategy it agreed in March.

ANNEX I – Draft European Council decision

of ... amending Article 136 of the Treaty on the Functioning of the European Union with regard to a stability mechanism for Member States whose currency is the euro THE EUROPEAN COUNCIL,
Having regard to the Treaty on European Union, and in particular Article 48(6) thereof,
Having regard to the proposal for revising Article 136 of the Treaty on the Functioning of the European Union submitted to the European Council by the Belgian Government on 16 December 2010,

[Having regard to the opinion of the European Parliament,¹

[Having regard to the opinion of the European Commission,²

[After obtaining the opinion of the European Central Bank,³

Whereas:

(1) Article 48(6) of the Treaty on European Union (TEU) allows the European Council, acting by unanimity after consulting the European Parliament, the Commission and, in certain cases, the European Central Bank, to adopt a decision amending all or part of the provisions of Part Three of the Treaty on the Functioning of the European Union (TFEU). Such a decision may not increase the competences conferred on the Union in the Treaties and its entry into force is conditional upon its subsequent approval by the Member States in accordance with their respective constitutional requirements.

(2) At the meeting of the European Council of 28 and 29 October 2010, the Heads of State or Government agreed on the need for Member States to establish a permanent crisis mechanism to safeguard the financial stability of the euro area as a whole and invited the President of the European Council to undertake consultations with the members of the European Council on a limited treaty change required to that effect.

(3) On 16 December 2010, the Belgian Government submitted, in accordance with Article 48(6), first subparagraph, of the TEU, a proposal for revising Article 136 of the TFEU by adding a paragraph under which the Member States whose currency is the euro may establish a stability mechanism to be activated if indispensable to safeguard the stability of the euro area as a whole and stating that the granting of any required financial assistance under the mechanism will be made subject to strict conditionality. At the same time, the European Council adopted conclusions about the future stability mechanism (paragraphs 1 to 4).

(4) The stability mechanism will provide the necessary tool for dealing with such cases of risk to the financial stability of the euro area as a whole as have been experienced in 2010, and hence help preserve the economic and financial stability of the Union itself. At its meeting of 16 and 17 December 2010, the European Council agreed that, as this mechanism is designed to safeguard the financial stability of the euro area as whole, Article 122(2) of the TFEU will no longer be needed for such purposes. The Heads of State or Government therefore agreed that it should not be used for such purposes.

(5) On 16 December 2010, the European Council decided to consult, in accordance with Article 48(6), second subparagraph, of the TEU, the European Parliament and the Commission, on the proposal. It also decided to consult the European Central Bank. [On [...dates...], the European Parliament, the Commission and the European Central Bank, respectively, adopted opinions on the proposal.]

(6) The amendment concerns a provision contained in Part Three of the TFEU and it does not increase the competences conferred on the Union in the Treaties,

HAS ADOPTED THIS DECISION:

Article 1

The following paragraph shall be added to Article 136 of the Treaty on the Functioning of the European Union:

1. Opinion of ... (not yet published in the Official Journal).

2. Opinion of ... (not yet published in the Official Journal).

3. Opinion of ... (not yet published in the Official Journal).

‘3. The Member States whose currency is the euro may establish a stability mechanism to be activated if indispensable to safeguard the stability of the euro area as a whole. The granting of any required financial assistance under the mechanism will be made subject to strict conditionality.’

Article 2

Member States shall notify the Secretary-General of the Council without delay of the completion of the procedures for the approval of this Decision in accordance with their respective constitutional requirements.

This Decision shall enter into force on 1 January 2013, provided that all the notifications referred to in the first paragraph have been received, or, failing that, on the first day of the month following receipt of the last of the notifications referred to in the first paragraph.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

Done at,
For the European Council
The President

(...)

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The European Union has been conducting operations as part of its common security and defence policy (CSDP) since 2003. In 2010, seven years later, twenty-four military and civilian missions had either taken place or were underway in Africa, the Middle East, the Balkans, Southeast Asia and the Eastern neighbourhood, with a total staff of nearly 20,000.

The creation of the European External Action Service (EEAS) has of course equipped the Union with a major new instrument on the international scene. On 26 July 2010, the EU Council adopted the decision establishing the EEAS, based on Baroness Ashton's original proposal. The High Representative, also Vice-President of the European Commission, ensures coherence and coordination of the external action of the Union; in her own words, *'Europe needs to shape up to defend better our interests and values in a world of growing complexity and fundamental power shifts'*.

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