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THE EUROPEAN UNION**



14724/04 (Presse 325)

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PRESS RELEASE

2622nd Council Meeting

General Affairs and External Relations

EXTERNAL RELATIONS

Brussels, 22-23 November 2004

President **Mr Bernard BOT**
Minister for Foreign Affairs of the Netherlands

* The 2621st meeting on General Affairs is the subject of a separate press release (ST 14723/04 Presse 324).

P R E S S

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14724/04 (Presse 325)

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Main Results of the Council

The Council, addressing a range of **European security and defence policy** issues, endorsed the results of a Military Capabilities Commitment Conference and of a Civilian Capabilities Commitment Conference. On Military capabilities, Member States offered contributions to thirteen **EU Battlegroups**, as part of EU Rapid Response elements.

On the **Middle East**, the Council underlined that free and fair Palestinian presidential elections were an indispensable step in the process of consolidating democratic institutions and expressed the EU's readiness to assist the Palestinian Authority financially, technically and politically.

Ministers discussed the situation in **Ukraine** after the 21 November run-off of the presidential election, which the European Union had followed with great concern.

The Council decided to take a series of measures in the light of the conduct of the 17 October elections and referendum in **Belarus** and of the subsequent attacks on peaceful demonstrators, opposition leaders and journalists. Such measures include a visa ban against the officials directly responsible for the fraudulent elections and referendum and against those responsible for the repression of demonstrators.

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

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OTHER ITEMS APPROVED

Please see "General Affairs" press release 14723/04 Presse 324.

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ITEMS DEBATED

ESDP - Council conclusions

The Council, after discussions in the presence of Defence Ministers, adopted the following conclusions:

" The Council endorsed the declaration made by the Ministers of Foreign Affairs of the Member States of the European Union meeting in Brussels on 22 November 2004 at a Civilian Capabilities Commitment Conference (see below). The Council acknowledged that important issues, critical to the success of future ESDP missions, need to be addressed urgently, including the establishment of appropriate operational planning and mission support capabilities within the Council Secretariat to ensure the ability of the EU to conduct and/or plan several civilian crisis management missions simultaneously. The Council also urged the Council Secretariat and the Commission to put forward, by the end of 2004, concrete proposals to provide adequate solutions on the issue of procurement, including recommendations on the earlier identification of procurement needs in planning processes.

The Council furthermore endorsed the declaration made by the Ministers of Defence of the Member States of the European Union, meeting in Brussels on 22 November 2004 at a Military Capabilities Commitment Conference (see below). Member States committed themselves to the further improvement of military capabilities and offered contributions to the EU Battlegroups (as part of Rapid Response elements). The Council asked the relevant EU bodies to take forward work on the implementation of this declaration.

The Council took note of the Single Progress Report on military capabilities, which was prepared in accordance with the EU Capability Development Mechanism and welcomed progress made.

The Council adopted guidelines in relation to the work of the European Defence Agency, notably with regard to its work programme. The Council approved the Agency's 2005 budget.

The Council agreed to launch the military Operation ALTHEA on 2 December, 2004. This operation follows the NATO operation SFOR and will make use of NATO common assets and capabilities. The European Union expressed its appreciation for the role played by the NATO military force in Bosnia and Herzegovina since its inception in December 1995. The Council welcomed the participation of eleven third States. Operation ALTHEA is part of the EU's comprehensive approach in Bosnia and Herzegovina. It will sustain the EU's long term objective of a stable, viable, peaceful and multi-ethnic Bosnia and Herzegovina, cooperating peacefully with its neighbours and irreversibly on track towards integration into the EU.

The Council endorsed the Conceptual Framework on the ESDP dimension of the fight against Terrorism and welcomed the action points included in this document.

The Council recalled the Joint Declaration on UN-EU Cooperation in Crisis Management of 24 September 2003, in which the EU agreed to consider actively ways to assist in the establishment of an Integrated Police Unit (IPU) in Kinshasa to provide security to the transitional government and institutions, and the request to that effect from the Government of the Democratic Republic of Congo on 20 October 2003 to the Secretary General/High Representative.

The Council also reiterates its commitment to work in very close association with MONUC and to provide it with effective support to fulfil its mandate which includes police training.

The Council welcomed the work done so far by the IPU training project in Kinshasa, currently being conducted under the EDF. In order to support further the transitional government of DRC, and particularly in the protection of the transitional government and its institutions, the Council decided that the IPU training project should be followed by a police mission in the framework of ESDP to monitor, mentor and advise the IPU in the conduct of its tasks. This operation should be based on the concept and structure agreed by the Political and Security Committee on 16 November 2004.

Furthermore, the Council agreed that the ESDP mission should be in place in time to ensure a seamless transition from the IPU training project. To this end, the Council invited the Secretariat to continue the planning and preparations with a view to launching the mission in early 2005."

See documents:

Declaration of the Civilian Capabilities Commitment Conference:
http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/misc/82760.pdf

Declaration of the Military Capability Commitment Conference:
http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/misc/82761.pdf

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A number of ESDP items were adopted without debate at the Council's "General Affairs" session. They are reflected in the General Affairs press release, doc. 14723/04 Presse 324.

FINANCING OF MILITARY OPERATIONS - ATHENA MECHANISM

The Council examined ways in which the existing procedures under the ATHENA mechanism for the financing of the common costs of EU-led military operations could better meet the needs of EU Rapid Response, notably in terms of transportation of the forces and early provision of funds to ATHENA. It tasked the relevant Council bodies, in relation with the EU Military Staff and the ATHENA administrator, to continue reflecting on the most appropriate ways and means to finance EU Rapid Response.

MIDDLE EAST PEACE PROCESS - Council conclusions

The Council adopted the following conclusions:

- "1. The Council expresses its condolences to the Palestinian people on the occasion of President Arafat's death and commends the approach of the current leadership in organising a smooth transition.
2. Reaffirming the EU's goals and policies with respect to the Middle East peace process, the Council calls upon all parties to abstain from any provocative or violent action and to demonstrate the necessary courage and leadership in order to advance the peace process. Terrorism and hostilities must end.
3. The Council reiterates its commitment to pursue the short-term programme of action proposed by High Representative to the European Council, and concludes that immediate action is required to support the presidential elections, to improve the security situation and to provide financial support to the Palestinian Authority.
4. Free and fair presidential elections are an indispensable step in the process of consolidating democratic institutions. The EU stands ready to assist the Palestinian Authority financially, technically and politically. The Council calls on the Palestinian Authority to organise elections in accordance with international standards under the authority of an independent electoral commission and calls upon Israel to facilitate these elections. The electoral process should be supported by all. The Council welcomes the Commission's intention to launch an Election Observation Mission.
5. At this critical moment in time, the Palestinian Authority should dispose of the means necessary to carry out its functions, including in the field of security. The Palestinian institutions and economy should be strengthened and Israel and other members of the international community have a shared responsibility to facilitate this. The EU calls on all donors and the parties directly concerned to meet their commitments and where possible to step up their efforts, in view of the next meeting of the AHLC.
6. The EU will spare no effort to promote peace and security in the Middle East, both in the short-term and in the longer-term, within the broader political perspective.

It is determined to co-ordinate its efforts with the parties involved and with its partners, in particular the Quartet members. The Council supports High Representative Solana's ongoing high-level consultations and welcomes the decision to convene a Quartet principals level meeting at short notice. The full political commitment of the Quartet remains crucial."

IRAN - Nuclear issues - Council conclusions

The Council adopted the following conclusions:

- "1. The Council welcomed the agreement reached with Iran on nuclear issues and future co-operation on 15 November, following talks with France, Germany and the UK supported by the High Representative.
2. The Council welcomed Iran's decision to suspend fully all enrichment related and reprocessing activities, and to sustain this suspension while negotiations are underway on an agreement on long-term arrangements. It noted that sustaining the suspension as defined in the agreement would be essential for the continuation of the overall process. It expected Iran to take the steps necessary to enable the IAEA Director General to report at the IAEA Board of Governors meeting on 25 November that full suspension was in place.
3. The Council underlined the importance of the negotiation on long-term arrangements. These arrangements will have to provide for objective guarantees that Iran's nuclear programme is exclusively for peaceful purposes. The Council affirmed its willingness to work towards a positive outcome.
4. The Council confirmed the EU's readiness to explore ways to develop political and economic co-operation with Iran, following action by Iran to address the EU's areas of concern. It recalled the conclusions of the European Council on 5 November that negotiations on a Trade and Co-operation Agreement would resume as soon as suspension was verified."

EU-CHINA RELATIONS

Over lunch, Ministers addressed EU-China relations, in the perspective of the EU-China Summit on 8 December 2004. A large number of subjects will be discussed, with a view to raising the relationship between the EU and China to a higher level.

More specifically with regard to the arms embargo, the Presidency confirmed, following the discussion, that the EU was ready to give a positive signal to China. At the same time, a number of concerns must be addressed, including in the field of human rights, and work must continue on strengthening the EU Code of Conduct on arms exports.

EU-RUSSIA RELATIONS

Over lunch, Ministers had a brief discussion in the perspective of the 25 November EU-Russia Summit in The Hague. with The Presidency briefing colleagues on the state of play in the four "common spaces" within which the EU-Russia relationship is being structured (economy, internal security, external security and education and research).

UKRAINE

Ministers discussed the situation in Ukraine after the run-off of the presidential election, which was held on 21 November 2004. Following the discussion, the Presidency noted that:

- the European Union had followed the second round of elections with great concern;
- over the past weeks the Presidency, the High Representative and Member States had expressed their regret that the first round of the elections had not met international standards. The EU had on several occasions urged the Ukrainian authorities to observe democratic principles and to redress the deficiencies, including by providing equal access to the media for the two candidates, so that the second round of elections could be free and fair;
- the EU had just learned the preliminary critical findings and conclusions of the OSCE/ODIHR International Election Observation Mission (IEOM). The second round of elections had clearly fallen short of international standards. In view of the irregularities detailed in the OSCE/ ODIHR report the EU seriously questioned whether the official results would fully reflect the will of the Ukrainian electorate. The EU Presidency would be in touch without delay with the OSCE Chairmanship-in-Office to discuss further steps. The EU urgently called on the Ukrainian authorities to review together with OSCE/ODIHR the electoral process and results. All EU member states would call in the Ukrainian ambassador to convey this message to their authorities;
- the EU continued to follow the electoral process in Ukraine closely. It strongly called on the Ukrainian authorities to show restraint and on all sides to express themselves only in a non-violent manner.

BELARUS - *Council conclusions*

The Council adopted the following conclusions:

- "1. Recalling its previous conclusions on Belarus, in particular of 15 September 1997 and 13 September 2004, the Council regrets that the policies pursued by the government of Belarus, notably the lack of progress towards democracy, the rule of law, and respect for human rights, continue to prevent Belarus from taking its rightful place among European democratic countries.
2. The Council underlines that Belarus, as a direct neighbour of the European Union, has the opportunity to be an active partner of the EU in the framework of the European Neighbourhood Policy. The Council calls upon President Lukashenko and his government to reverse their present policies and to embark on fundamental democratic and economic reforms to bring the country closer to European common values.
3. The Council has noted with great concern that the 17 October 2004 parliamentary elections and referendum in Belarus were not conducted in a free and fair manner. In view of this, the Council cannot have confidence that the results, as announced, truly reflect the will of the people of Belarus. The Council strongly condemns the attacks on peaceful demonstrators, individual opposition leaders and journalists that took place after 17 October.
4. The Council calls upon the authorities of Belarus to stop harassing political parties, independent media outlets, NGOs and academic institutions. In particular, it calls upon the government of Belarus to immediately reverse its decision to revoke the teaching license of the European Humanities University in Minsk.
5. The Council again urges the Belarus authorities to conduct an independent investigation of the disappearances of three opposition politicians and a journalist in 1999/2000 and to bring the perpetrators of these crimes to justice.
6. Against the background of these developments and building on previously established EU policy, the Council has decided the following actions:
 - The EU remains open for a dialogue with Belarus on gradual development of bilateral relations, as soon as the Belarus authorities demonstrate by concrete actions a sincere willingness to re-engage;

- The EU will introduce a visa-ban against the officials directly responsible for the fraudulent elections and referendum and against those responsible for severe human rights violations in the repression of peaceful demonstrators;
 - Bilateral ministerial contacts of the European Union and its Member States with President Lukashenko and his government will be established solely through the Presidency, SG/HR, the Commission and the Troika. Other contacts with President Lukashenko and the members of his government, including multilateral contacts and contacts necessary for transborder relations, will be limited to a minimum;
 - Community and Member States' assistance programmes will support the needs of the population and democratisation, notably by humanitarian, regional, and cross-border cooperation and by projects supporting directly and indirectly democratisation and democratic forces in Belarus. The Commission will continue and further intensify its efforts with regard to assistance to Belarus in order to meet the challenges arising from the self-isolation of Belarus. The Commission is invited to make proposals to this effect as soon as possible;
 - The Council invites the Commission to organise a workshop with the participation of Member States, other interested countries, NGOs, and other relevant actors to co-ordinate assistance to democratisation and civil society in Belarus;
 - The relevant bodies of the Council will closely follow Belarus' conduct with regard to arms trade and proliferation;
 - The EU reiterates that it is willing to deepen its relationship with Belarus, including within the European Neighbourhood Policy (ENP), once the Belarusian authorities clearly demonstrate their willingness to respect democratic values and the rule of law. The EU will take steps to communicate and demonstrate the benefits of the ENP to the Belarusian population at large.
7. The Council will seek the support of interested and like-minded countries for the actions above, including within the OSCE, the Council of Europe and the United Nations. The EU will continue to support and make use of the OSCE's presence in Belarus, notably through its field office.
8. The Council will continue to follow developments in Belarus closely and will take further action as appropriate."

AFRICA

– ***Ivory Coast - Council conclusions***

The Council adopted the following conclusions:

- "1. The Council welcomes Resolution 1572, adopted unanimously by the United Nations Security Council, which endorses the Linas-Marcoussis and Accra III Agreements.
2. The Council fully supports the commitment of the African states within the African Union (AU) and ECOWAS for a political solution to the crisis in the Ivory Coast.
3. The European Union will take the necessary measures to contribute to the full and successful implementation and monitoring of the arms embargo against the Ivory Coast. It urges all relevant Ivorian parties and persons to fulfil without delay all their commitments made in the Linas-Marcoussis Agreement and reaffirmed in Accra. If they fail to do so, the European Union will apply from 15 December onwards the sanctions mentioned in the Resolution targeted at certain persons. In that respect, the EU already notes with particular concern statements made since the adoption of Resolution 1572 by some of the parties in Ivory Coast, which constitute a threat or at least a blockage in the sense of Resolution 1572, to peace and national reconciliation. In order to further contribute to peace in the Ivory Coast and to prevent destabilisation of the subregion, the European Union will continue to support initiatives taken by ECOWAS and the AU.
4. The European Union strongly reaffirms its commitment to supporting the implementation of the agreements reached at Linas-Marcoussis and Accra III by all appropriate means.
5. The Council calls on the Government of Ivory Coast and political parties to make maximum efforts in order to re-establish political order and security, and to relaunch the political dialogue."

– ***Great Lakes - Council conclusions***

The Council adopted the following conclusions:

" The Council welcomed the outcome of the First Summit for Heads of State of the AU-UN International Conference for peace and security in the Great Lakes region. It considered the adoption of the Declaration of Principles by the Heads of State of the eleven Core Countries of the Conference a major event and clear evidence of the willingness of the countries of the region to move from confrontation to consultation and co-operation.

The Council stressed the importance of this process leading to a final outcome that will lead to lasting peace and stability, good governance, democracy and respect for human rights, socio-economic development and regional integration, thereby addressing the needs of all inhabitants of the region, without exclusion.

The Council welcomed the continuing commitment shown by the eleven Core Countries - Angola, Burundi, the Central African Republic, The Republic of Congo, the Democratic Republic of the Congo, Kenya, Rwanda, Sudan, Tanzania, Uganda and Zambia - to obtain concrete and lasting solutions for the conflicts in the Great Lakes region and their causes.

The Council re-iterated the willingness of the EU to continue its support, through the Group of Friends of the Conference, to the preparatory process for the second summit to ensure its successful outcome.

The Council welcomed the report by the EU Troika which visited the Great Lakes Conference to underline the commitment of the EU to the peace process in the Great Lakes region and noted the positive discussions of the Troika with the Heads of State of Burundi, the Democratic Republic of Congo, Rwanda and Uganda."

– ***Sudan - Council conclusions***

The Council adopted the following conclusions:

- "1. The Council recalls its previous conclusions and reiterates that fulfilment of the demands set out therein, as well as in UN Security Council Resolutions 1556, 1564 and 1574, will influence the future relations between all parties in the Sudan and the EU.

2. The Council refers to the report of the UN Secretary General (UNSG) presented by the Special Representative of the SG (SRSG) Jan Pronk on 5 November in the UN Security Council (UNSC) and expresses grave concern about the findings of the UNSG on the deteriorating security and humanitarian situation, due to ceasefire violations by all parties, the majority of which has recently been committed by the SLM/A, and the failure of the Government to end impunity. The Government of Sudan has not taken convincing steps to neutralise and disarm Janjaweed militia. The Council urges all parties to respect the ceasefire agreements, including by abstaining from hostile military flights. Lack of progress was observed on improving the human rights situation and protection of civilians and IDPs. The Council condemns any forced displacement of populations. Displacements should only be done on a voluntary basis and under the supervision of the International Office for Migration (IOM). The Council expresses its determination to maintain political pressure on the Sudanese Government as well as on the rebel groups and reiterates its willingness to take appropriate measures, including sanctions, if no tangible progress is achieved, as set out in earlier Council Conclusions and in UNSC Resolution 1556 and 1564.

3. The Council welcomes the urgently needed deployment of the military elements of the expanded African Union (AU) force in Darfur (AMIS II) and fully supports the leading role of the African Union. The EU looks forward to the implementation of the policing elements of AMIS II in order to help enable the return of civilians under conditions of peace and security. It reaffirms its continued support to the AU and AMIS II and will consider, in close discussion with the AU, in particular possible support for the implementation of the policing elements of AMIS II. The Council urges all parties in the Darfur conflict to cooperate fully with the AU to ensure a secure and stable environment. The Council also underlines the role of UNAMIS, as spelled out in UNSC Resolutions 1556 and 1574, to include contingency planning for Darfur in its mission and welcomes the further cooperation between AMIS II and UNAMIS.

4. The Council welcomes the progress achieved at the peace talks in Abuja. The signing of the humanitarian and security protocols is an important step. The Council urges all parties to work with the AU to implement these protocols and to reach a political solution to the conflict as a matter of immediate priority. It reaffirms its willingness to remain actively involved in this AU-led process.
5. The Council notes with grave concern that, with one third of the population of Darfur still depending on humanitarian assistance and the continuing increase in the number of IDPs, there is urgent need for additional humanitarian assistance. The EU has already provided more than EUR 325 million from bilateral and Community funds for 2004, but substantial additional amounts need to be raised. The EU will consider increasing its humanitarian support, while encouraging other donors to provide additional support for humanitarian operations.
6. The Council welcomes the commencement of the work of the UN International Commission of Inquiry and calls upon all parties to fully cooperate with it. The Council reiterates its support to HCHR action in Darfur and welcomes the deployment of complementary human rights observers.
7. The Council reaffirms its willingness to co-operate closely with the AU, UN, the Arab League and the US with a view of harmonising international efforts to contain and resolve the conflict in Darfur. The EU is in particular committed to strengthening dialogue and cooperation with the AU on this issue.
8. The Council takes note of the UNSC meeting in Nairobi and welcomes Resolution 1574. The Council takes note of progress in the final stage of negotiations on the North-South peace agreement and urges the Government of Sudan and the SPLM to sign a comprehensive peace agreement as envisaged and without further delay. The Council recalls that a quick conclusion of the North-South peace negotiations could provide a political platform for a peaceful solution to the Darfur crisis."

– ***Somalia - Council conclusions***

The Council adopted the following conclusions:

- "1. Welcoming the positive results of the Intergovernmental Authority on Development (IGAD) efforts, the Council reviewed recent developments in Somalia, in particular the agreement on a Transitional Federal Charter, the establishment of the Transitional Federal Parliament, the election of Abdullahi Yusuf Ahmed as President of the Somali Transitional Federal Government and the appointment of Ali Mohamed Ghedi as Prime Minister. The Council looks forward to the early establishment of a broad-based government in Somalia and stresses the political challenges ahead: Demobilisation, Disarmament and Reintegration (DDR), internal reconciliation, peaceful dialogue with Somaliland and maintaining regional cohesion and support.
2. The Council reiterated its support for the efforts of all parties in Somalia. It also expressed the need for continued international engagement and structured support based on joint principles and structures for co-ordination with the Transitional Federal Institutions. The European Union stands ready to work with the United Nations and all relevant international organisations in supporting the peace and reconciliation process and the transition to a federal state in Somalia. Furthermore the European Union stands ready to assist a Transitional Federal Government in accordance with the arrangements to be agreed between the government and the international community as endorsed by the Stockholm Meeting of 29 October.
3. Recalling the objectives of EU policy towards Somalia as set out in Council conclusions of 22 July 2002, the Council considered that the promotion and protection of human rights, the restoration of the rule of law, democracy and good governance in Somalia, is the only effective way to provide social and economic recovery and to eradicate the threat of terrorism.
4. The support of the International Community is essential to help stabilise the situation in Somalia. The role and support of IGAD and neighbouring countries will be particularly important, also with a view to achieving regional stability. The Council further stressed that the continued Somali peace and reconciliation process is and must be Somali owned.

5. The Council notes the ongoing discussions at AU level on security issues and on the deployment of an AU observer mission to support the reconciliation process. The EU stands ready, based on an AU request, to examine ways of support to these efforts, inter alia through the Africa Peace Facility. The Council further underlined that the establishment of a secure environment in Somalia will require an effective and internationally verifiable cease-fire agreement. In this regard, the Council welcomed the public declaration made by all presidential candidates to hand over their weapons to the new government as a first step.

6. In accordance with the proceedings of the Stockholm meeting of 29 October, the Council underlined the importance of the UN taking up a lead role in the international support of a new Somali government. As an interim arrangement a troika consisting of UN, IGAD and the IGAD Partners Forum (IPF) should lead the continued process on the side of the international community.

7. The Council asked the Commission and the High Representative to remain actively involved in the support of Somalia during the transition period and to provide necessary means in order to consolidate the formation and installation of Transitional Federal Institutions and the creation of a secure environment in Somalia. The Council noted that the EU will continue to provide direct assistance to existing areas of tranquillity. It will closely co-operate and co-ordinate with other donors and relevant institutions in order to maximise the impact of EU resources during the reconstruction process."

MILLENNIUM DEVELOPMENT GOALS - Council conclusions

The Council held a policy debate on preparations for the 2005 review of the Millennium Development Goals adopted by the UN in 2000. It adopted the following conclusions:

"RECALLING:

- The Council Conclusions of 26 April 2004 on the EU contribution to the 2005 MDG stocktaking exercise¹.
- The common structure for reporting by Commission and Member States agreed on 14 June 2004, which inter alia proposed that Member States should submit their draft national MDG reports by October 2004, and invited the Commission to report to the Council on the progress of work at its November 2004 meeting².
- The Presidency Conclusions of the Brussels European Council, 17-18 June 2004, which underlined the strong support by the EU of the UN attempts to accelerate progress towards the achievement of the Millennium Development Goals.

NOTING:

- The progress report of the Commission on the preparations within the EU and the limited number of national reports submitted by Member States thus far.
- The Commission's Report on the Millennium Development Goals 2000-2004³.

THE COUNCIL AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES MEETING WITHIN THE COUNCIL

1. REAFFIRM the common desire that the EU should provide political leadership, and emphasizes the importance of ensuring a strong and well coordinated EU contribution to the MDG stocktaking exercise.

¹ Doc. 8974/04

² Doc. 10523/04

³ Doc. 14210/04 - SEC (2004) 1379

2. WELCOME the offer by the Commission to prepare specific and ambitious proposals for action on the way towards 2015 in the context of the EU synthesis report (in particular in the areas of finance for development, policy coherence for development and focus on Africa) in a close dialogue with Member States.
3. URGE those Member States, which have not yet submitted their national MDG reports, to do so as soon as possible in order for the EU synthesis report to be based on a more complete set of Member States' contributions.
4. LOOK FORWARD TO receiving the Commission's EU synthesis report for consideration and approval by the Council at its meeting in April 2005 at the latest."

EFFECTIVENESS OF EU EXTERNAL ACTION - *Council conclusions*

The Council held a policy debate on the effectiveness of EU external action and adopted the following conclusions:

"THE COUNCIL AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES MEETING WITHIN THE COUNCIL

- THANK the Commission for the 2004 Annual Report, COMMEND it on the improvements made with respect to the 2003 Report and REFER to the Council Conclusions concerned for its suggestions to further enhance the 2005 edition,

On policy

- WELCOME THE Commission's intention to undertake an early review of the November 2000 Joint Statement on EC Development Policy with a view to up-dating it, building on the overall principles of poverty eradication and country ownership in the 2000 Statement. The Council LOOK FORWARD to a wide-ranging debate involving the institutions and civil society and mobilising public support for development co-operation in the EU.

On management

- COMMEND the European Commission for the progress achieved in improving the management and timely delivery of Community assistance. The External Assistance Reform process has produced a greater emphasis on the strategic planning and programming of external assistance as well as some simplification of procedures. The Council supports the consolidation of these processes and encourages continued efforts to improve the quality and effectiveness of implementation.
- INVITE THE Commission to conduct a qualitative assessment of EC External Assistance separate to the Annual Report and to consider how best to refine, consolidate and further improve the innovations and positive changes in a the follow-up of the Reform Process begun in 2000, while focusing on quality, impact and results; the Council invites the Commission to report to the Council before July 2005.

- INVITE the Commission, once the Mid Term Review process is complete,
 - to consider what conclusions might be drawn on the effectiveness of EC aid based on the outcomes of MTR Reviews from all regions, and
 - to carry out an assessment of the MTR process itself to draw lessons for future performance based reviews of CSPs and their harmonisation across the different regions.
- RECONFIRM, in line with its commitment made in Barcelona in 2002, and in view of the preparation of the High Level Forum II in Paris 2005, its intentions and willingness to adopt and implement concrete initiatives to encourage further co-ordination, harmonisation and alignment. In this context, the Council welcomes the recommendations of the Ad Hoc Working Party on Harmonisation.

On resources

- WELCOME the proposals of the Commission for simplifying the structure for the external actions budget into a limited number of instruments in the framework of the new Financial Perspectives as a conducive basis for discussion.
- EMPHASISE the importance of ensuring a coherent contribution of EC ODA to poverty eradication in all developing countries. In this context, whilst honouring existing commitments, the Council underlines the need to give priority to the least developed countries and low-income countries.
- REAFFIRM the importance it attaches to extending the use of standard, objective and transparent resource allocation criteria based on need and performance to all EC external assistance. In this context, the Council acknowledges the letter of 22 October 2004 from the Commission⁴ and looks forward to an early discussion on the issues involved."

The full text of the conclusions can be found in document 14959/1/04 REV 1.

⁴ Doc. 14829 DEVGEN 222 RELEX 543.

HIV/AIDS, MALARIA AND TUBERCULOSIS - Council conclusions

The Council held an exchange of views and adopted the following conclusions:

"RECALLING the objectives set out in the 2000 UN Millennium Declaration and UNDERLINING in particular the commitments to have, by the year 2015, halted and begun to reverse the spread of HIV/AIDS, the scourge of malaria and other major diseases that afflict humanity, and to provide special assistance to children orphaned by HIV/AIDS;

RECALLING the Council Conclusions adopted on the European Policy framework,⁵ the Programme for Action (PfA) to confront HIV/AIDS, malaria and tuberculosis,⁶ and the progress report on the implementation of the PfA⁷;

RECALLING the Declaration of Commitment on HIV/AIDS adopted at the United Nations General Assembly Special Session on HIV/AIDS (26th UNGASS, New York, 27 June 2001);

RECALLING the "Three Ones" key principles proposed at the International Conference on AIDS and STIs in Nairobi (September 2003) and confirmed during a High level meeting in Washington (April 2004): one agreed HIV/AIDS Action Framework that provides the basis for co-ordinating the work of all partners; one National HIV/AIDS Co-ordinating Authority, with a broad-based multi-sector mandate; one agreed country level Monitoring and Evaluation System;

RECALLING the mandate given by the European Council, in the framework of the Multi-Annual Strategic Programme adopted in December 2003, to give priority to ensuring improvements in aid effectiveness, coherence, co-ordination and complementarity in support of the primary objective of the reduction of poverty, including the fight against diseases like HIV/AIDS, tuberculosis and malaria;

⁵ Council conclusions of 15 May 2001 (doc. 8495/01) on the Commission communication on Accelerated Action Targeted at Major Communicable Diseases within the Context of Poverty Reduction, (doc. 11901/00 COM(2000) 585).

⁶ Programme for Action on Communicable Diseases in the Context of Poverty Reduction, (doc. 6802/01 COM(2001) 96).

⁷ Update on the EC Programme for Action : Accelerated Action on HIV/AIDS, Malaria and Tuberculosis in the Context of Poverty Reduction – Outstanding Policy Issues and Future Challenges, (doc. 7115/03 COM(2003) 93).

REAFFIRMING the Dublin Declaration on Partnership to fight HIV/AIDS in Europe and Central Asia, adopted at the Conference "Breaking the Barriers - Partnership to fight HIV/AIDS in Europe and Central Asia" (Dublin, 23-24 February 2004) and the Irish-Dutch organised seminar for Experts on New Preventive Technologies: Providing new options to stop the spread of HIV/AIDS (Dublin, 24 June 2004);

REAFFIRMING the Vilnius Declaration on Measures to Strengthen Responses to HIV/AIDS in the European Union and in Neighbouring Countries, adopted at the International Inter-ministerial Meeting on Combating HIV/AIDS (Vilnius, 16-17 September 2004);

THE COUNCIL

1. WELCOMES the Communication from the Commission to the Council and the European Parliament on a Coherent European Policy Framework for External Action to Confront HIV/AIDS, Malaria and Tuberculosis⁸ in all partner countries, including the new neighbouring countries, and the Second Progress report on the EC Programme for Action⁹ and ACKNOWLEDGES that, while maintaining a strong focus on poverty reduction, the new policy framework also forms a basis for EC action on the protection of human rights, particularly women's rights, the safeguarding of human security and the elimination of violence and discrimination.
2. UNDERLINES the importance of a full and swift implementation of the Doha Declaration on TRIPs and Public Health, and STRESSES that implementation of this declaration should not be hampered in formal amendments of the TRIPs Agreement, nor through bilateral negotiations or through national legislation;
3. ACKNOWLEDGES and WELCOMES the efforts made by the Commission and the Member States in terms of ensuring the necessary policy coherence and synergy among different policy areas such as trade, health, external relations and development, research and information technologies and encourages the Commission and the Member States to continue to develop and implement coherent policies;

⁸ A Coherent European Policy Framework for External Action to Confront HIV/AIDS, Malaria and Tuberculosis (Doc. 14245/04 COM(2004)726).

⁹ Second Progress report on the EC Programme for Action : Accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction (Doc. 14245/04 ADD 1 SEC(2004) 1326).

4. URGES the Commission and the Member States to enhance their co-operation and co-ordination in the fight against HIV/AIDS, tuberculosis and malaria and in the full implementation of the Cairo/ICPD +10 agenda ensuring that Sexual and reproductive health and rights are an essential component of HIV and AIDS prevention and that AIDS prevention and Sexual and Reproductive Health and Rights (SRHR) activities are integrated where appropriate;
5. RECOGNIZES that adequate resources and efforts are needed from the EC and the Member States to scale up responses to fight HIV/AIDS, tuberculosis and malaria, to strengthen health and other social services and outcomes at country level and to intensify research and development of new tools for prevention, particularly vaccines and microbicides, as well as new tools for treatment and diagnostics;
6. RECOGNIZES the key role of the EC and the Member States in the global efforts made by the WHO, UNFPA, UNICEF, UNAIDS, Roll-back Malaria, Stop Tuberculosis, the WTO, the Global Fund to Fight AIDS, Tuberculosis and Malaria, the International AIDS Vaccine Initiative (IAVI) and the European and Developing Countries Clinical Trials Partnership (EDCTP) to confront the three diseases and ACKNOWLEDGES the need for continued, adequate and predictable support, including financial resources, to all these efforts;
7. In particular, INVITES the Commission and the Member States to engage actively into preparations for the 2005 Replenishment Conference of the Global Fund, in order to ensure increased, adequate and predictable financing;
8. REQUESTS the Commission to present to the Council by April 2005 a comprehensive Plan of Action on different areas of intervention, including proposals for the future implementation, monitoring and co-ordination of the EU action to confront the three poverty related diseases."

CAIRO - AGENDA ON POPULATION AND DEVELOPMENT - Council conclusions

The Council held an exchange of views and adopted the following conclusions:

"THE COUNCIL:

1. REITERATES its full and broad support for the entire agenda of the International Conference on Population and Development (ICPD) and the key actions adopted at ICPD+5, as well as the need to achieve its mutually supportive goals;
2. REAFFIRMS the agreement reached to shift towards a rights based approach, which puts the well being and free choice of the individual at the centre of its concern, and the need for a strong EU leadership in the prompt implementation of the ICPD Program of action in the context of the Millennium Declaration, approved in September 2000;
3. REAFFIRMS also that implementation of the ICPD Program of Action is key to poverty reduction and is fundamental to achieving the Millennium Development Goals (MDGs). The MDGs provide a shared and common vision of a world in 2015, where extreme poverty and hunger are cut in half (MDG 1), child and maternal mortality (MDG 4 and 5) will be greatly reduced and gender disparities in primary and secondary education are eliminated (MDG 2), women are more empowered (MDG 3) and HIV/Aids, malaria and other diseases are effectively tackled (MDG 6), and environmental sustainability is ensured (MDG 7) within a global partnership for development (MDG 8);
4. AGREES that the EU action to support the ICPD agenda should be pursued both at global and country level. In particular, progress at country level will be achieved through the inclusion of the ICPD agenda into MDGs-friendly Poverty Reduction Strategy Papers (PRSPs) and other national planning frameworks. This would help to make the financial resources needed more visible in the national financial instruments such as the Medium-Term Expenditures Frameworks (MTEF). Action at country level will also need to focus on efficient and well trained human resources which are key to the delivery of sexual and reproductive health care and services. EU action at global level will be carried out in close collaboration with inter-parliamentarian groups, multilateral institutions (UNFPA and other UN agencies) and organizations, as well as NGOs and civil society at large;

5. AGREES that financial contributions to the implementation of the Cairo Program of Action have remained far below the level of commitments made in 1994; in particular, donors have provided only fifty percent of the funding they had pledged at the Cairo Conference and REAFFIRMS its commitment to provide the EU's share of the resources estimated to be required to implement the ICPD Programme of Action;
6. RECOGNIZES that additional resources are needed to enable a prompt implementation of the ICPD agenda by focusing in particular on sexual and reproductive health and rights, and encourages EC and Member States to provide financing through geographical and thematic instruments, multi sector support and/or budget support and through additional resources from the UN and other international development agencies;
7. INVITES in this context the EC and the Member States to provide additional resources through the UNFPA to fill the reproductive health commodities gap, as a short term measure to respond to urgent needs of commodities. The Council recognizes, however, that partner countries have to identify with the support of UNFPA and other international organisations long-term and viable solutions to guarantee the required level of supplies at country level. To this effect, partner countries should develop appropriate road-maps , as well as public private partnerships to secure reproductive health supplies;
8. TAKES NOTE that complications during pregnancy and childbirth are still the leading cause of death for women in the reproductive age in developing countries and that mortality during childbirth has not decreased over the last decade in the poorest countries. The Council, therefore, ACKNOWLEDGES that the lack of safe motherhood is still one of the world's urgent concerns, which needs to be addressed. Reducing maternal mortality implies saving lives, alleviating poverty and improving opportunities for the next generation;
9. EMPHASISES the urgent need to link the fight against HIV/AIDS with support for reproductive and sexual health and rights, in particular to ensure strong political commitment and funding for sexual and reproductive health information, services and research , extend treatment and care, and ensure reproductive choices to people affected by HIV, in accordance with the ICPD Plan of Action;
10. RECOGNIZES that the largest generation of adolescents ever in history is now entering sexual and reproductive life and that their access to sexual and reproductive health information, education, services and commodities, including condoms, is essential in achieving the goals set in Cairo 10 years ago, as well as the fight against HIV/AIDS;

11. UNDERLINES and RECOGNIZES the need for the EU to support the developing countries in the implementation of the ICPD-Program of Action, in close collaboration and coordination with UNFPA and other development partners. The Council notes also that EU Member States and European Commission should work more effectively and coherently with developing countries' governments, UN agencies, the Bretton Woods institutions and NGOs, and should align themselves with co-ordinating mechanisms such as the OECD DAC initiative on harmonisation, and the UNAIDS "Three Ones" Initiative. In the spirit of the Cairo consensus, a constructive dialogue including with political, cultural and religious groups and individuals in societies must be part and parcel of these efforts;
12. STRESSES that sexual and reproductive health and rights in relation to women's rights and empowerment merits focused attention, particularly related to gender equality and male involvement in programs;
13. AGREES that sexual and reproductive health and rights and women's rights and empowerment deserve special attention in humanitarian programs, in crisis management and in political dialogues with third parties in conflict and post-conflict situations;
14. UNDERLINES that the EU should continue its strong support to the UNFPA as having the leading role regarding the ICPD agenda. This refers also to the need to provide adequate and predictable resources for the activities of UNFPA. The EU would invite non-EU states to do likewise;
15. RECOGNIZES that the MDGs cannot be attained without progress in achieving the Cairo goal of universal sexual and reproductive health and rights. The EU will therefore work to ensure that sexual and reproductive health and rights issues are properly reflected within the outcome of the 2005 High Level Event, including its targets and monitoring indicators;
16. The Council URGES the Commission to report on the efforts made by Member States and the Commission in the EU synthesis report for the 2005 MDGs stocktaking exercise."

The full text of the conclusions can be found in document 14916/04.

FINANCING DEVELOPMENT COOPERATION - *Council conclusions*

The Council held an exchange of views and adopted the following conclusions:

"RECALLING:

The Commission Communication of 5 March 2004 on translating the Monterrey Consensus into practice: the contribution by the European Union",¹⁰

Its Conclusions of 27 April 2004,¹¹ which called for the establishment of an Ad-Hoc Working Party of the Council consisting of experts on Harmonisation (AHWPH), in order to examine in detail the Commission recommendations contained in the Commission Communication and other relevant proposals with a view to translating the Barcelona Commitment II into practice;

The decision adopted by the COREPER establishing the AHWPH and setting up its mandate;¹²

That the Working Party was invited to report back to Council no later than November 2004, with a view to adoption by the Council of an EU Action Plan for Coordination and Harmonisation for submission to the Second High Level Forum on Harmonisation and Alignment for Aid Effectiveness to be held in Paris in 2005;

THE COUNCIL,

NOTING that the COREPER, on 18 November 2004 agreed on the Report presented by the AHWPH;

ENDORSES the report of the Ad-Hoc Working Party on Harmonisation entitled "Advancing Coordination, Harmonisation and Alignment: the contribution of the European Union";

INVITES the relevant Council bodies to continue the work for preparing the participation of the EU to the Second High Level Forum on Harmonisation and Alignment for Aid Effectiveness to be held in Paris in 2005;

REAFFIRMS its intention to monitor regularly the further progress made with the view to translating the Barcelona Commitment II into practice."

¹⁰ Doc. 7108/04 - COM (2004) 150 final.

¹¹ Doc. 8973/04.

¹² Doc. 9188/04.

ANNUAL REPORT ON EU DEVELOPMENT POLICY - Council conclusions

The Council held an exchange of views and adopted the following conclusions:

"RECALLING its conclusions of 31 May and 8 November 2001 on the follow-up of EC development policy and the Statement by the Commission and the Council of November 2000 on the EC's Development Policy;

RECALLING its conclusions of 17 November 2003 on the Annual Report on the EC's Development Policy and the implementation of external assistance;

THE COUNCIL:

1. WELCOMES the Annual Report of the Commission on the EC's development policy and the implementation of external assistance in 2003;
2. COMMENDS the Commission for the improvements made with respect to the previous Annual Report, such as the new chapter on efficiency and effectiveness of EC co-operation;
3. Also COMMENDS the Commission for having included a special feature on governance, peace, security and development, thereby reflecting the notion that peace and security and development are inextricably linked;
4. WELCOMES the positive progress in EC external assistance shown by the 2004 Report, in particular:
 - progress in the continued effort to reach the Millennium Development Goals, including by further concentration of external assistance in the six priority areas of EC Development Policy;
 - signs that the reform process is starting to yield results in terms of speedier delivery and improved portfolio performance;

5. EMPHASISES that the Annual Report, in order for it to be effective as an instrument to measure progress against key strategic objectives, should provide:
 - an analysis of the implementation of the 2000 Development Policy Statement in various regions;
 - a systematic assessment of the EC’s contribution towards poverty reduction within all regional programmes and to the progress towards the achievement of the Millennium Development Goals in each region;
 - more analysis in the form of lessons learned and possible implications for future policy-making and programme development;
 - a clear read across between the Annual Programme of Action, the Annual Policy Strategy and the Annual Report as requested in the previously adopted Council Conclusions of 2000 and 2001;
6. INVITES the Commission to develop a format for the 2005 Annual Report that better fulfils the needs of its various audiences (such as the European institutions, national parliaments, civil society and the general public), with a clear separation between the above mentioned strategic analyses and the more descriptive parts of the Report;
7. INVITES the Commission to focus on a more selective presentation of key facts, which are the most relevant for demonstrating progress against the EU's principal development policy objectives;
8. INVITES the Commission to give more attention in the 2005 Annual Report to:
 - the work carried out under the auspices of the “Special Task Force on Capacity Building” to ensure the efficient and coherent integration of the development aid activities of the ten new Member States, and also ascertain that the taskforce is institutionally embedded in such a way that aforementioned work will continue to receive the proper attention in the 2005 Annual Report;

- progress made on co-ordination, complementarity and coherence, all being essential elements of EU development co-operation;
 - the impact on gender, children and sustainable development of the programmes of the Commission;
9. NOTES that the presentation of financial information in the Annual Report should be streamlined in order to avoid duplication and ensure coherence between financial information in the text and in the annexes, and that this financial information should demonstrate trends over recent years; NOTES that the report does not present financial information such as ODA/GNI ratios, other Official Assistance (OOA), and proportions of EC ODA given to Low-Income and Least-Developed Countries, and INVITES the Commission to include such information, presented over preceding years, in all future Reports;
10. NOTES that while the chapter on evaluation and monitoring in the Annual Report has improved, there is a need to streamline the information in order to provide a basis for comparison over the years;
11. NOTES that the assessment of the EU External Assistance Management Reform contained in the Annual Report focuses largely on quantitative and process measures; and therefore INVITES the Commission to conduct a qualitative assessment of the EC external assistance separate to the Annual Report and to consider how best to refine, consolidate and further improve the innovations and positive changes in the follow-up of the Reform Process begun in 2000, while focusing on quality, impact and results; the Council invites the Commission to report to the Council before July 2005;
12. INVITES the Commission to present the 2005 Annual Report sooner after the reporting period and no later than June 2005."

OTHER BUSINESS

– ***Guinea-Bissau***

The Council heard a briefing from the Portuguese delegation on the situation in Guinea-Bissau. A meeting of the Community of Portuguese Speaking Countries had been held recently and had decided to send a mission to the country. The Commission briefed the Council on the state of play concerning European Community assistance to Guinea-Bissau.

– ***Black Sea economic cooperation***

The Council was informed by the Greek delegation of a Foreign Ministers meeting of the Organisation of the Black Sea Economic Cooperation to be held on 25 April.

– ***Energy and development***

The Council was informed by the Presidency of a conference on energy and development to be held at Noordwijk on 12 to 14 December.

IN THE MARGINS OF THE COUNCIL

The following events were held in the margins of the Council

- *Military Capabilities Commitment Conference*

See http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/misc/82761.pdf

- *Civilian Capabilities Commitment Conference*

See http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/misc/82760.pdf

- *Steering Board European Defence Agency*

See http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/misc/82759.pdf

- *WEAG Ministerial Meeting*

- *EU-Western Balkans Forum*

See press release 14434/04 Presse 318.

- *Co operation Council with South Africa*

- *Signature of an Agreement with Norway on security procedures for the exchange of classified information.*

OTHER ITEMS APPROVED

Please see "General Affairs" press release 14723/04 Presse 324.
