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Bruxelles, den 26. juni 2001

Med venlig hilsen

Morten Knudsen

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10228/01 (Presse 250)

PRESS RELEASE

Subject :

2362nd Council meeting

- **GENERAL AFFAIRS** -

Luxembourg, 25 June 2001

President : **Ms Anna LINDH**

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For further information call 02 285 64 23, 02 285 87 04, 02 285 81 11

PARTICIPANTS

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

Belgium :

Ms Annemie NEYTS

State Secretary, attached to the Minister for
Foreign Affairs

Denmark :

Mr Mogens LYKKETOFT

Minister for Foreign Affairs

Mr Friis Arne PETERSEN	State Secretary for Foreign Affairs
<u>Germany :</u>	
Mr Joschka FISCHER	Federal Minister for Foreign Affairs and Deputy Federal Chancellor
Mr Christoph ZÖPEL	Minister of State, Foreign Affairs
<u>Greece :</u>	
Mr George PAPANDREOU	Minister for Foreign Affairs
Ms Elissavet PAPAZOÏ	Deputy Minister for Foreign Affairs
<u>Spain :</u>	
Mr Josep PIQUÉ I CAMPS	Minister for Foreign Affairs
Mr Ramón DE MIGUEL Y EGEA	State Secretary for European Affairs
<u>France :</u>	
Mr Hubert VEDRINE	Minister for Foreign Affairs
<u>Ireland :</u>	
Ms May HANAFIN	Minister of State
<u>Italy :</u>	
Mr Renato RUGGIERO	Minister for Foreign Affairs
<u>Luxembourg :</u>	
Ms Lydie POLFER	Minister for Foreign Affairs and Foreign Trade
<u>Netherlands :</u>	
Mr Jozias VAN AARTSEN	Minister for Foreign Affairs
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Ms Benita FERRERO-WALDNER	Federal Minister for Foreign Affairs
<u>Portugal :</u>	
Mr Jaime GAMA	Minister for Foreign Affairs
Ms Teresa MOURA	State Secretary for European Affairs
<u>Finland :</u>	
Mr Erkki TUOMIOJA	Minister for Foreign Affairs
Mr Kimmo SASI	Minister for Foreign Trade and European Affairs
<u>Sweden :</u>	
Ms Anna LINDH	Minister for Foreign Affairs
Mr Hans DAHLGREN	State Secretary at the Ministry of Foreign Affairs
<u>United-Kingdom :</u>	
Mr Jack STRAW	Secretary of State for Foreign and Commonwealth Affairs
Mr Peter HAIN	Minister of State for Europe

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Commission :

Mr Chris PATTEN Member

* * *

General Secretariat of the Council :

Mr Javier SOLANA Secretary General / High Representative for the
CFSP

* * *

Other participant (for Western Balkans):

Mr Bodo HOMBACH

WESTERN BALKANS - CONCLUSIONS

On the occasion of the General Affairs Council, EU Ministers met with FYROM Foreign Minister Mitreva. The Council adopted a declaration on FYROM

The Council looked forward to the FRY Donor's Conference, scheduled to take place on 29 June in Brussels, jointly chaired by the Commission and the World Bank. The success of this event will contribute to the further strengthening of the process towards democratisation and reforms undertaken by the Yugoslav leadership, which will bring the people of the FRY closer to European integration.

The Council welcomed the adoption on 22 June by the FRY Government of the decree governing the cooperation with ICTY. This is a positive step towards the needed full cooperation with the Tribunal.

The Council welcomed the peaceful manner in which the first round of elections in Albania took place on 24 June. The completion of these elections early next month in full respect for OSCE standards will contribute to the further strengthening of the democratic institutions of the country and to its rapprochement to European structures, through the Stabilisation and Association Process

The Council warmly welcomed the decision by the Steering Board to prolong for another year the mandate of High Representative for Bosnia and Herzegovina, **Wolfgang Petritsch**. The Council reiterated its full support for his untiring efforts to ensure the implementation of the Dayton/Paris agreements.

The Council regretted that an Election Law has not yet been adopted in Bosnia and Herzegovina. The Council recalled that the adoption of such a law is one of the essential requirements for closer integration into European structures.

The Council continued to condemn all forms of extremism in the region, and remained committed to preventing such actions from undermining the democratic processes. The Council is presently considering restrictive measures, including a visa ban against extremists.

The Council looked forward to the third meeting of the Regional Table of the **Stability Pact** in Brussels on 28 June, as an important step in the preparation of the second Regional Conference scheduled for October, on the basis of recently agreed EU priorities for the Stability Pact and the strategies to be written on them.

DECLARATION ON THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

The critical situation in FYROM is of grave concern to the EU. All political leaders in FYROM bear a heavy responsibility to their people and to the people of the region to act urgently and decisively to prevent further violence and the risk of civil war. The Council reiterated the EU's strong attachment to the inviolability of internationally recognised borders and the sovereignty and territorial integrity of FYROM, which must be based on citizenship and not on ethnic origin.

The Council welcomed the crucial role played by HR Solana in the agreement on the demilitarisation of Aracinovo. This agreement must now be respected and followed rapidly by an effective cease-fire for the whole country as well as further progress on confidence building and demilitarisation.

The Council notes with concern the arms build-up in the area. There is no military solution to the present crisis. The political dialogue must now resume with the facilitation of the international community and lead to rapid results. Such results will determine the further development of the EU's relations with FYROM and the possibility of additional assistance.

The EU will continue its efforts to contribute actively to a solution of the crisis, in close cooperation with NATO as well as with the main partners and organisations involved.

As a further step, the Council agreed to appoint for a limited period of time Mr François LEOTARD as Representative of the EU resident in Skopje, who will act under the authority of the High Representative.

MIDDLE EAST

Over lunch, Ministers reviewed the current situation in the Middle East on the basis of an oral report by SG/HR SOLANA following his latest visit to the region. This visit (22 June) included meetings with President ARAFAT of the Palestinian Authority, and Prime Minister SHARON and Foreign Minister PERES of Israel.

MEETING WITH THE UN HIGH COMMISSIONER FOR HUMAN RIGHTS

Over coffee Ministers met with Mary ROBINSON, UN High Commissioner for Human Rights, to discuss the state of preparation for the upcoming World Conference Against Racism which will take place in Durban, South Africa, from 31 August to 7 September 2001.

ZIMBABWE - CONCLUSIONS

The Council noted the lack of substantial progress in the ongoing political dialogue with the Government of Zimbabwe and expressed its deep concern over recent developments in Zimbabwe. It stressed that as a first priority the dialogue should yield rapid and tangible results on the following:

- An end to political violence, and in particular an end to all official encouragement or acceptance of such violence;
- An invitation to the EU to support and observe coming elections and full access to that end;
- Concrete action to protect the freedom of mass media;
- Independence of the judiciary and the respect of its decisions and
- An end of illegal occupation of properties.

The Council agreed to closely follow developments in these areas, as well as on overall questions regarding the rule of law, economic policies and the land reform during the next two-month period, and to take appropriate measures if substantial progress has not been made.

WEST AFRICA - CONCLUSIONS

The European Union has followed with great concern the political and humanitarian crisis in the West African sub-region of the Mano River Union countries (Liberia, Sierra Leone, Guinea), deriving primarily from tensions in the border regions. The Council welcomed the outcome of the EU high level troika mission carried out to those countries and to Mali, current chair of the ECOWAS, on 29-31 May in order to assess how the EU can contribute to a solution of the current crisis.

The Council underlined that the political crisis in the region can only be solved through a constructive dialogue between the parties concerned, in particular between Liberia and Guinea. It called for such a dialogue to be initiated urgently. The Council reiterated its support to ECOWAS for its efforts in this respect. The Council also expressed its readiness to increase its long-term capacity-building support to ECOWAS, in particular in the fields of conflict prevention, crisis management and regional peacekeeping.

The Council reaffirmed its support for the efforts, under the auspices of ECOWAS, to restore peace and stability in the region. In this context, the Council noted the ongoing discussions on a possible border force between Guinea and Liberia. Provided that such a force can obtain the explicit consent and co-operation by the governments concerned, in the framework of an overall process of confidence-building, the Council would be ready to consider supporting it.

The Council expressed its firm support for UNSCR 1343 and called for its rapid and efficient implementation.

The Council welcomed positive developments towards peace in Sierra Leone. The Council expressed its full support for the UNAMSIL mission and commended its endeavours to ensure an increased presence throughout the country and an effective disarmament process, taking into account the special needs of child soldiers in disarmament and reintegration.

The Council welcomed the intention of the Government of Sierra Leone to proceed with presidential and parliamentary elections in December 2001. In this respect, the Council welcomed the Commission's intention to financially support these elections. The European Union will consider observing the elections.

The Council decided to follow closely developments in the Mano River countries. In this context, it welcomed the intention of the Presidency to appoint a representative to pursue high level contacts.

FOLLOW-UP OF THE EUROPEAN COUNCIL IN GÖTEBORG

The Council took note of a working paper presented by the Chair providing an overview of the various remits for future European Council meetings and other operational conclusions from Göteborg which are to be followed-up by the incoming Presidencies.

The President underlined in particular the attention which needed to be given to the implementation of the sustainable development strategy and the importance of making the conference on climate change in mid-July in Bonn a success in view of the ratification of the Kyoto Protocol and indicated its intention in this context to organise, together with the incoming Belgian Presidency and the Commission, troika missions to Japan and Australia at the beginning of July.

The Council had also an exchange of views on the events which took place in the city of Göteborg during the Summit and expressed its deep concern about the violent behaviour of some of the demonstrators. After examination by police experts of ways and means for improving action and cooperation in this field between Member States, the Justice and Home Affairs Council will meet in July for a discussion of appropriate measures for avoiding the repetition of such events.

Furthermore the Council asked the incoming Presidency to come back to the issue of organising a political dialogue on the problems raised by globalisation.

FACILITATION OF MOVEMENT OF PERSONS ON ONE-DAY CRUISES BETWEEN TURKEY AND GREECE

The Council gave its clear support for finding a solution to the Greek request of facilitating the movement of persons on one-day cruises between Turkey and Greece. It noted that the matter needed further technical examination on the basis of details provided by the Greek delegation and asked its relevant bodies to work diligently on this matter with a view to coming up with a practical solution as rapidly as possible.

TURKEY: CLOSURE OF THE FAZILET PARTY - DECLARATION BY THE PRESIDENCY ON BEHALF OF THE EU

The European Union notes with concern the decision of the Turkish Constitutional Court on 22 June to order the closure of the Virtue Party, to confiscate its assets and to ban certain members from being members of the Turkish Grand National Assembly or from further political activities for five years. The EU is concerned about the implications for democratic pluralism and freedom of expression in Turkey, a candidate for membership in the EU.

The decision highlights the need for Turkey to move ahead with political reforms in order to implement the priorities of the Accession Partnership adopted by the EU on 8 March 2001. The EU is aware of the current efforts of the Turkish Government and the Turkish Grand National Assembly to implement a constitutional reform, following the presentation by Turkey of its National Programme for the Adoption of the Acquis. The EU assumes that this process will be concluded in the near future and in conformity with the Copenhagen political criteria.

ANY OTHER BUSINESS

- JOINT ACTION FOR THE ESTABLISHMENT OF AN EU SATELLITE CENTRE

The Council took note of the concerns expressed by the Spanish delegation regarding the establishment of an EU Satellite Centre capable of being operational by 1 January 2002. The Presidency expressed its hope that work could be accelerated and the outstanding issues rapidly resolved in order to allow the Joint Action to be adopted in good time.

ITEMS APPROVED WITHOUT DEBATE

(Decisions for which statements for the Council minutes have been made available to the public are indicated by asterisks; the statements in question may be obtained from the Press Office.)

EXTERNAL RELATIONS

Human Rights in Africa

The Council approved a report on the review of the Common Position on human rights, democratic principles, the rule of law and good governance in Africa. The report is the sixth of its kind and covers the period between 26 November 2000 and 25 May 2001.

Côte d'Ivoire - consultations

The Council adopted a decision on the conclusion of consultations with Côte d'Ivoire under Article 96 of the Cotonou Agreement. The Council had decided on 22 January 2001 to open new consultations in view of continuing difficulties in the political situation in the country. During the consultations, which took place on 15 February 2001, the EU took note of the commitments made by the Ivorian authorities. A regular and intensive dialogue was subsequently held in Abidjan to assess the progress. The decision to conclude consultations reflects the fact that a number of significant measures have been taken by the Ivorian authorities, including the holding of local elections open to all political parties, the launching of a dialogue including all political parties, the initiation of a national debate on national reconciliation and the opening of legal proceedings concerning some major cases of human rights violations. These initiatives are a clear indication that a process is under way which should restore social and political stability to the country.

However, the following points continue to give cause for concern and require continued monitoring: political initiatives to promote national reconciliation are still awaited and the dialogue including all political parties needs to be maintained; the appointment, in compliance with the principles of independence and neutrality, of the judges who will sit in the Ivorian high courts is still awaited; the investigations and legal proceedings concerning the acts of violence carried out during the year 2000 must be launched and/or accelerated and the public condemnation of expressions of xenophobia still need to be backed up by additional practical measures and an official policy statement.

Given that significant measures have already been taken, although some are still to be implemented, the Council has decided to resume co-operation gradually. Following a further review of the situation in January 2002, establishing that the undertakings have been fulfilled, full co-operation will be resumed.

International Day in Support of Victims of Torture - EU Declaration

"On the occasion of the United Nations International Day in Support of Victims of Torture (26 June), the European Union underlines the primary importance it attaches to the prevention and eradication of torture and other cruel, inhuman or degrading treatment or punishment in all parts of the world. Torture and other cruel, inhuman or degrading treatment or punishment are among the most abhorrent violations of human rights and human dignity. This day is an occasion to speak up against this scourge, to be mindful of those who suffer under it and to pay tribute to those who combat torture and help victims overcome the physical and psychological pain.

Fourteen years ago, on 26 June 1987, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment came into force. Since then 124 States, have ratified the Convention. Yet, torture continues to occur and perpetrators continue to go unpunished, even in countries that have ratified the Convention. This underscores the need for more intensive and concerted action, at national, regional and international level, towards the goal of global

eradication of torture. It is in this context that the European Union in April of this year adopted Guidelines for an EU Policy Towards Third Countries on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, thus confirming the issue at the centre-stage of the Union's human rights policy. The Guidelines provide an operational tool for the EU to intervene in cases of torture and step up efforts to further reinforce respect for international norms and standards.

The European Union welcomes and supports the work done by the UN, the Council of Europe and the OSCE in the fight against torture. Co-operation by States with international mechanisms, such as the UN Special Rapporteur and the Committee Against Torture, is essential to make our international system of protection and promotion of human rights effective. The European Union supports the prompt adoption of an Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, that provides an independent and efficient international visiting mechanism for the prevention of torture and other cruel, inhuman or degrading treatment or punishment. The Union further actively supports the work of the UN Voluntary Fund for Victims of Torture. Through funding at the national and Community level, it also offers substantial support to organisations that provide medical, social, legal and other assistance to many men, women and children who are victims of torture with the aim of restoring their health and dignity as human beings.

The role played by human rights NGOs and human rights defenders deserves particular attention. They work selflessly, and often at great risk, to bring cases of torture to the attention of the international community and to assist those at risk of torture. The European Union is pleased with the contribution by the NGOs to make this day a living event. The dedicated involvement of many sectors such as civil society, including NGOs, professional engagement by lawyers, police, medical personnel and educators etc. as well as government action is required to find ways and means to combat torture.

We must all stand together to make the world free from torture."

Human Rights and Democratisation in Third Countries - conclusions

"INTRODUCTION

1. Recalling the Vienna Declaration of the European Union of 10 December 1998 and other relevant instruments (Annex), the Council reaffirms the commitment of the European Union to the principles of liberty, democracy, respect for universal and indivisible human rights, fundamental freedoms and the rule of law as contained in Articles 6 and 11 of the Treaty on the European Union and in Article 177(2) of the Treaty establishing the European Community. The proclamation of the Charter on Fundamental Rights of 10 December 2000 reflects the overriding importance of human rights for all policies and activities of the European Union.

2. The Council welcomes the Commission's Communication on the European Union's Role in Promoting Human Rights and Democratisation in Third Countries (COM (2001) 252 final) as a valuable contribution towards reinforcing the coherence and consistency of EU policy in the field of human rights and democratisation. Realising that sustainable democracy and respect for human rights must be built from within societies, the Council reaffirms its determination to promote stable, democratic environments, founded on the full enjoyment of human rights. The Council considers this objective essential for the implementation of the European Programme for the Prevention of Violent Conflicts and a cornerstone of its work to contribute to poverty reduction, sustainable social and economic development, peace and security.

PRINCIPLES

3. In order to achieve a more informed, credible, coherent, consistent and effective EU human rights and democratisation policy, the Council reaffirms its commitment to:

- coherence and consistency between Community action and the Common Foreign and Security Policy (CFSP) as well as development policy through close co-operation and co-ordination between its competent bodies and with the Commission;
- "mainstreaming" of human rights and democratisation into EU policies and actions;

- openness of the EU's human rights and democratisation policy through a strengthened dialogue with the European Parliament and the civil society;

- regular identification and review of priority actions in the implementation of its human rights and democratisation policy.

METHODS AND FOLLOW-UP

Coherence and consistency

4. The Council underlines the importance of enhancing co-ordination and co-operation between Community actions and the CFSP in the promotion and protection of human rights and efforts to strengthen democracy. Hence, the Council recalls that the Community's actions should be consistent with the European Union's action as a whole, including the CFSP. The Council shares the Commission's opinion that these objectives should be achieved without establishing new structures. P>

5. The Council stresses the importance of close co-operation between its competent bodies in order to allow for consistent and coherent decisions on the crosscutting issues of promoting human rights and democratisation. In this context, it underlines the role of the working party on human rights (COHOM) in ensuring an effective, coherent and consistent approach to these issues together with geographical and other relevant working parties. This role should be strengthened.

6. The Council recommends that the High Representative for CFSP ensure that appropriate structures within the Council Secretariat are in place in order to provide a focal point and enhance consistency and coherence of the human rights dimension in CFSP political dialogues and other actions, including in the fields of conflict prevention and crisis management.

7. The Council underscores the importance of the role played by the EU Heads of Mission, and in particular their reports, in contributing to an informed policy on human rights and democratisation.

8. The Council underlines the importance of coherence and consistency between the EU's overall policy and its position in international and regional fora such as the UN, the OSCE and the Council of Europe. To this end, the Council will review, between the sessions of the Commission on Human Rights, the implementation of resolutions initiated by the EU at the Commission.

9. The Council stresses the necessity to ensure consistency between the external and internal policies as well as the need to explore the development of possible means and practices to this end. The credibility of the EU's human rights policy requires a coherent application of human rights standards in all fields of activity, including in the enlargement process.

10. The Council welcomes and encourages the Commission's resolve to adopt a more strategic approach to the European Initiative for Democracy and Human Rights (EIDHR) so that the programmes and projects match the EU's commitments and policies and contribute to the implementation of core human rights instruments. It welcomes the Commission's approach to reform the programming and implementation of the EIDHR and the overall reform of EC external assistance.

11. The Council suggests that the question of a possible EU Common Strategy in the area of human rights and democratisation be further explored. In addition, the Council will take into account the positive experiences of the EU guidelines and common positions already in place.

Mainstreaming

12. In the Council's view the process of "mainstreaming" human rights and democratisation objectives into all aspects of EU external and internal policies should be intensified. Through mainstreaming, impact can be given to political priorities, without necessarily implying large budgetary allocations.

13. The Council recommends that respect for human rights and democracy, based on international norms and instruments, particularly those of the United Nations, be promoted through dialogue and co-operation without prejudice to the need to speak out in clear terms against violations of human rights. The Council attaches great importance to human rights dialogues with third countries. In addition, human rights and democratisation should systematically and at different levels be included in all EU political dialogues and bilateral relations with third countries. The Council underlines that issues taken up in the dialogues with third countries must be consistent with the EU's overall policy towards the country in question, including the EU's positions in international and regional fora.

14. In line with the European Union's commitment to the promotion of human rights and to apply, whenever possible, a positive and supportive approach, the Council believes that a considerable degree of flexibility should be exercised in using EU and EC instruments and mechanisms, such as political dialogues, human rights clauses and financial incentives.

15. The Council welcomes the Commission's intention to identify opportunities in other areas of Community policy, such as immigration and the environment, to promote policies and initiatives which favour respect for human rights and democratisation, including through the promotion of Corporate Social Responsibility (CSR). Increased trade and further trade liberalisation can contribute to promote respect for human rights. The Council calls for a strengthened international dialogue on the relationship between trade and social development, including core labour standards.

16. The Community co-operation framework for Country Strategy Papers (CSP), based on national plans such as Poverty Reduction Strategies where available, should contribute to a more systematic approach to human rights and democratisation. Human rights and democracy issues should be included in planning, design, implementation and monitoring of policies and programmes. The Council invites the Commission to ensure consistency, including by taking into account the views of the HOMs, between the CSPs and the CFSP considerations. The Council welcomes the Commission's commitment to use the Inter-service Quality Support Group (IOSG) to monitor the inclusion of human rights principles in CSPs.

17. The Council confirms its commitment to a rights-based approach to development, which takes into account that the reduction of poverty requires offering empowerment, opportunity and security. In this context a democratic environment is indispensable. The promotion of democracy should therefore aim at providing a structural framework for the realisation of all human rights and for the eradication of poverty.

Openness

18. The Council recommends that the dialogue with the European Parliament should be actively pursued. The Council appreciates the expression of considerable knowledge and engagement contained in the European Parliament's annual reports on human rights. The Council intends to continue to develop the EU Annual Report on Human Rights.

19. The Council will pursue efforts to enhance the openness of its actions on human rights and ensure effective dialogue with civil society. The dialogue, including exchanges of information and experiences, should aim at an active involvement of the civil society. In this context, the Council undertakes to examine ways, in co-operation with the Commission to render the EU human rights discussion fora more effective.

Priorities

20. With reference to the measures to reinforce the EU's human rights policy identified in the 1998 EU Vienna Declaration, the Council recommends that areas for priority actions be regularly reviewed and updated so as to provide guidance for short term and long term policy making.

21. The Council welcomes the priorities identified for the EIDHR in the Commission's Communication looks forward to regular reviews and updates of these priorities. In its work to promote human rights and democratisation, the Council will focus on these and other key issues, such as the rights of the child, freedom of the media and strengthening of civil society including through human rights education. The EU must apply a gender perspective throughout its human rights and democratisation policy, as well as child rights perspective wherever relevant.

22. The Council stresses that the EU will continue its practice of co-operation with the United Nations and considers that all possibilities for strengthening this co-operation should be explored, specifically with the Office of the High Commissioner for Human Rights, as well as with other international and regional organisations, such as the Council of Europe and the Organisation for Security and Co-operation in Europe, in view of the importance that the EU attaches to the universal respect for, and consistent application of, international human rights instruments.

ANNEX to the Council Conclusions on the European Union's Role in Promoting Human Rights and Democratisation in Third Countries

- Statement by the Council and the Commission on the European Community's Development Policy, 10 November 2000 (doc 13458/00)

- Council Conclusions regarding the Standard framework for Country Strategy Papers, 10 November 2000 (doc 13357/00)

- Guidelines for strengthening operational Co-ordination between the Community and the Member States in the field of external assistance, 22 January 2001 (doc 5431/01)

- Council conclusions on EU Election Assistance and Observation, 31 May 2001 (doc 9990/01)

- Council Conclusions on Linking Relief, Rehabilitation and Development (LRRD), 31 May 2001 (doc 9989/01)

- Council Conclusions on the special Report No21/2000 by the Court of Auditors on the management of the Commission's external aid programmes, 31 May 2001 (doc 9983/01)

- Council Procedural Conclusions on Conflict Prevention, 31 May 2001 (doc 9991/01)

- Council Regulations 975/1999 and 976/1999 (OJ L 120/1 and L 120/8 of 29 April 1999)

- ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000 (OJ L 317 of 15 December 2000)

Russia

Non-proliferation and Disarmament

The Council adopted a Decision implementing Joint Action 1999/878/CFSP with a view to contributing to the European Union Co-operation Programme for Non-proliferation and Disarmament in the Russian Federation.

The objective of the programme is to support the Russian Federation in its efforts towards arms control and disarmament and to that end:

- to co-operate with the Russian Federation in the latter's pursuit of a safe, secure and environmentally sound dismantlement and/or re conversion of infrastructure and equipment linked to its WMD;
- to provide a legal and operational framework for an enhanced EU role in co-operative risk reduction activities in the Russian Federation through project-oriented co-operation;
- to promote co-ordination as appropriate of programmes and projects in this field at Community, member state and international level.

In accordance with Article 2 (2) of the Joint Action 1999/878/CFSP the following projects shall be included on the European Union Co-operation Programme for Non-Proliferation and Disarmament in the Russian Federation:

- support to the Russian Nuclear Safety Authority for developing the regulatory basis and documents for the disposition of weapons grade plutonium;
- support for studies and experimental studies for mixed oxides fuel (MOX) demonstration and licensing;
- a co-operative feasibility study for immobilisation of Russian waste containing weapons grade plutonium;
- support to the Russian Ammunition Agency to fulfil the Russian Federations' responsibilities under the Chemical Weapons Convention (CWC);
- support for infrastructure-building related to the destruction of nerve gases stored at the Shchuch'ye site.

Rule of law, public institutions and civil society - conclusions

"Following the Göteborg European Council conclusions on Russia, the Council welcomed the Presidency report on rule of law, public institutions and civil society in Russia, with suggestions for further action by the European Union, as a useful basis for further discussions within the Union.

The consolidation of democracy, the rule of law and public institutions in Russia remains a priority for the European Union in its relations with Russia. Whilst recognising the substantial progress made in Russia during the past decade

towards democracy, a pluralistic society with respect for human rights and a state based on the rule of law, the Council noted that considerable deficiencies still remain. These include the implementation of legislation and the functioning of public institutions, including the judiciary. The Council further noted the need to strengthen civil society. In this context, the Council reiterated that developments in Russia in some respects, notably with regard to the situation concerning the independence of media, remained matters of concern. The European Union will closely follow further developments in these areas.

The Council recalled that both Member States and the Community were already actively involved in support of rule of law, public institutions and civil society in Russia. The Council concluded that further efforts in this direction should be made, in close consultation with the relevant Russian counterparts, whereby full use should be made of the means and instruments at the Union's disposal, including the political dialogue, the Tacis and EIDHR programmes, as well as Member States' bilateral programmes.

Future efforts were suggested to include support to the strengthening of the judiciary and other legal institutions, NGOs, notably those active in the field of democracy and human rights, as well as the independence of media, notably on regional and local level. Efforts to bring Russian legislation into accordance with Council of Europe requirements, including the de jure abolition of death penalty, are important. Joint European Union and Council of Europe activities should be promoted where appropriate.

The Council finally reiterated its serious concern over the situation in Chechnya and called for an urgent political solution to the conflict. Reported violations of human rights must continue to be thoroughly investigated in order to bring perpetrators to trial."

Small Arms and Light Weapons

- Conclusions

"The Council expresses its concern over the destabilising accumulations and spread of small arms and light weapons. It wishes to convey its deep concern at the tremendous humanitarian problem caused by the spread of these weapons, which constitutes an obstacle to the reconstruction, economic development and restoration of normal living conditions in the affected countries, including the return of refugees, preventing by the same token humanitarian aid to reach those mostly in need of it.

The Council underlines the high priority it attaches to a successful outcome of the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, 9-20 July 2001).

The Council recalls its efforts to deal with the problem of small arms and light weapons, in particular through the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms, the EU Code of Conduct on Arms Exports, the Joint Action on the EU contribution to Combating the Destabilising Accumulation and Spread of Small Arms and Light Weapons, and the Council Resolution on the Combating of Excessive and Uncontrolled Accumulation and Spread of Small Arms and Light Weapons as part of Emergency Aid, Reconstruction and Development Programmes.

The Council also recalls the active role played by the EU in the adoption of the OSCE Document on Small Arms and Light Weapons by the OSCE Forum for Security Co-operation on 24 November 2000, and the negotiations on the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transitional Organised Crime.

The Council expresses its conviction that an effective response to the suffering and insecurity

caused by small arms and light weapons, as well as related issues such as child soldiers, requires a comprehensive Programme of Action with a combination of demand and supply side strategies together with programmes for disarmament, demobilisation and reintegration of ex-combatants, as well as confidence-building, conflict resolution, capacity-building and development. The Programme of Action should outline ways for continued action in these areas.

The Council urges all States to contribute to the adoption by the Conference of a comprehensive Programme of Action."

- Implementation of the 1998 EU Joint Action

The Council took note of the Annual report on the implementation of the EU joint Action of 17 December 1998 on the EU's contribution to combating the destabilising accumulation and spread of small arms and light weapons and the EU Programme on illicit trafficking in conventional arms of June 1997.

The Report focuses on the following aspects:

- national efforts to address small arms related problems;
- efforts at the international level to address these problems, including projects supported by the EU and Member States;
- priorities for future EU assistance.

EU-Japan Action Plan

The Council approved the EU position regarding the Action Plan with a view to the next stage of negotiations with Japan.

At the July 2000 EU-Japan Summit in Tokyo, the two sides had agreed to further strengthen their bilateral relationship and express this in a new political commitment. They had agreed to elaborate an EU-Japan Action Plan for a ten year period, to be approved by the next EU-Japan Summit [check (to be held in Europe, the date still to be agreed)].

The proposed Action Plan "Shaping our Common Future", addresses four main objectives: (i) Promoting Peace and Security; (ii) Strengthening the Economic and Trade Partnership Utilising the Dynamism of Globalisation for the Benefit of All; (iii) Coping with Global and Societal Changes and (iv) Bringing Together People and Cultures.

China - conclusions

1. The Council reviewed EU policy towards China. It did so in preparation for the fourth EU-China Summit in Brussels on 5 September 2001 and in light of the more prominent international role of both EU and China as well as their increasing political and economic weight. The Council was determined to enhance the coherence and consistency of EU policy towards China.
2. The Council recognised the scale of the economic and social reform process in China, the steps taken towards a more open society, and the remarkable progress made in reducing poverty. It also noted the efforts by the Chinese Government to develop the legal system. At the same time the Council considered it of critical importance that measures be taken by China to improve the situation of human rights and rule of law on the ground, in order to establish a democratic society with respect for human rights and individual freedoms. The EU sought broadened economic relations and trade with China, welcomed China's integration into the world trading system and looked forward to its accession to the WTO as rapidly as possible. It also emphasised that China would need to further address a number of significant challenges, such as regional and social disparities, mass unemployment, protection of the environment and the creation of a social security system.
3. The Council welcomed the *Communication from the Commission on an EU Strategy towards China: Implementation of the 1998 Communication and Future Steps for a more Effective EU Policy*. COM(2001)265, 15 May 2001, as a means of deepening and expanding relations in all areas where it is mutually beneficial and as an illustration of the potential for the future of the EU-China relationship. It endorsed the broad lines of the analysis and recommendations proposed in the Communication.
4. The Council confirmed that the basic objectives set out in its conclusions of June 1998 remain valid, namely (i) the further engagement of China in the international community, (ii) its transition to an open society based on the rule of law and respect for human rights, (iii) its integration into the world economy, (iv) better use of existing EU resources and (v) a higher EU profile in China. In order to pursue those objectives, the Council identified key short and medium term priorities, as set out below:

1. Engaging China further in the international community, through an upgraded political dialogue.

5. The Council welcomed the development of the political dialogue, covering a wide range of issues and concerns, while underlining the need for greater coherence and continuity as well as better linkages between the dialogues at different levels and between the dialogue and co-operation programmes. The Council requested the Political and Security Committee to evaluate, at least once a year, the outcome and effectiveness of the political dialogue and, where necessary, to propose adjustments.

6. The EU should use the political dialogue to pursue the Union's interest in peace, security and freedom both in East and South East Asia and globally, and to improve co-operation with China on multilateral issues and transnational challenges. This would include support for a peaceful resolution of differences across the Taiwan Straits and of the territorial disputes in the South China Sea. It would also include co-operation in multilateral fora, such as the UN, ASEM and the ASEAN Regional Forum on issues including peacekeeping, conflict prevention and confidence building, as well as discussion of global environmental issues. The EU also has a continuing interest in monitoring developments in Hong Kong and Macao to ensure continued respect for their respective Joint Declarations and Basic Laws.

7. The Council decided to propose to China to enhance the political dialogue in accordance with the modalities set out in the Annex. In addition to the human rights dialogue, dialogues on non-proliferation, arms control and disarmament should be held on a regular basis, in order to address the EU's concern regarding the proliferation of weapons of mass destruction and their means of delivery. In view of the arms export policies pursued by China, a dialogue should also be maintained in this area. The objective should be to ensure China's integration as a responsible and constructive partner, e.g. by engaging in the Conference on Disarmament, by ratifying the CTBT and refraining from exporting military equipment and dual use technology to countries of concern.

8. The Council noted with satisfaction that the EU and China had recently taken steps towards closer co-operation in the fields of illegal migration and trafficking in human beings and hoped that similar progress could shortly be made to combat transnational organised crime, money laundering, international terrorism and trafficking in drugs.

II. Supporting China's transition to an open society based upon the rule of law and respect for human rights

9. The Council stressed its deep concern about the human rights situation in China and reaffirmed its conclusions of 22 January and 19 March 2001. It remained strongly concerned at the lack of respect for fundamental freedoms in China, including the continuing widespread restrictions on freedom of assembly, expression and association, the violations of freedom of religion and belief, the situation of minorities, including in Tibet and Xinjiang, and the frequent and extensive recourse to the death penalty. It underlined the importance that concrete steps be taken by the Chinese Government to improve the human rights situation in the country. Early ratification and implementation of the Covenant on Civil and Political Rights, implementation of the Covenant on Economic, Social and Cultural Rights and co-operation with UN human rights mechanisms were essential in this respect. The Council restated its view that the Union's dialogue with China on human rights was an acceptable option only if real progress was achieved on the ground. It recalled its decision to adopt measures to improve the dialogue and to continue to assess the results on a regular basis. It repeated its desire to make the dialogue more transparent and reaffirmed the specific areas where the EU will be seeking progress. It stressed the importance of deepening the co-operation with China in this field and welcomed the intention of the Commission to define appropriate priorities for co-operation programmes, so as to complement the human rights dialogue. It welcomed the EU-China human rights seminars, which supported the dialogue.

III. Integrating China further in the world economy by bringing it more fully into the world trading system and by supporting the process of economic and social reform underway in the country, including in the area of sustainable development.

10. The Council expressed support for China's WTO accession to take place as rapidly as possible and encouraged a close monitoring of the implementation of its WTO commitments. The Council encouraged China to play a constructive role in the WTO and in global and regional processes of liberalisation in order to increase the potential of China both as a trading partner and a secure destination for FDI. It stressed that the EU and China would mutually benefit from working closely together to liberalise further her world trade and strengthen the multilateral trading system, in particular through co-operation in the preparation of a new WTO round of comprehensive negotiations. It welcomed the Commission's intention to continue WTO-related co-operation projects and to undertake additional efforts to help China implement its WTO commitments and deal with the challenges of restructuring its economic, social and legal systems through complementary co-operation programmes and strengthened sectoral dialogues.

11. The Council expressed its support for the reform process in China. China was now faced with the challenges of continuing the reform of the state owned enterprise sector, of the financial system and the social security system. The Council welcomed the Commission's intention to support the reform process through its co-operation programmes, and

invited it to ensure that poverty reduction, the promotion of the rule of law and the respect for human rights, gender equality, transparency, balanced re development and social reform (including social security and key public health needs), were taken fully into consideration.

12. The Council stressed the importance of policy development and implementation in the field of the environment, in order to assist China to achieve more sustainable patterns of production and consumption and pursue a better environmental performance. It considered improvement in this field to be of pivotal importance to economic development and sustainability of the Chinese society as well as to the global environment. It encouraged the Commission to deepen co-operation in this area. The Council also noted with satisfaction the measures and policies undertaken by China towards preventing climate change and expressed its wish for close co-operation between the Union and China in the field of global environmental policy in order to promote the objectives of the UNFCCC and the Kyoto Protocol.

13. The Council welcomed the Commission's intention to develop its existing sectoral dialogues with China (e.g. in the areas of information society, energy, science and technology) and to establish new ones (e.g. on enterprise policy and regulation), as well as to begin negotiations for bilateral agreements with regard to maritime transport and on co-operation and mutual assistance in customs matters, as well as cooperation in the energy field.

IV. Making better use of existing EU resources

14. The Council stressed the need for a close linkage between the EU's broader China policies and EC-funded co-operation programmes. It called for closer co-ordination among Member States and the Commission in the design and delivery of co-operation programmes, so as to promote a more coherent and effective role for the Union as a whole. It invited the Commission, in consultation with Member States and the Chinese Government, to finalise the Country Strategy Paper, setting out priorities for co-operation. It also encouraged closer co-operation and greater sharing of information between the Commission, Member States, the UN, the International Financial Institutions and other donors. It recalled in this context the guidelines on strengthening operational co-ordination, which it adopted on 22 January 2001.

V. Raising the EU's profile in China

15. The Council welcomed the Commission's suggestions on ways to enhance the EU's profile in China and underlined the importance of people-to-people contacts in order to achieve a stronger mutual relationship. The Council invited the relevant bodies to find new ways to stimulate the exchange of people (such as students, entrepreneurs, scholars, tourists, and journalists) between the EU and China, to promote cultural links, and to consider new initiatives to link the emerging civil society in China with that in the EU.

Annex

The Council decides to propose to China the following revised structure of the political dialogue between the EU and China:

- Annual summits, at the level of Head of State or Government, between China and the EU, their location alternating between China and the EU.
- Meetings when needed between Troika Foreign Ministers and their Chinese counterpart, in addition to annual meetings in the margins of the UN General Assembly.
- Annual meetings of Troika political directors with their Chinese counterpart, the location of the meeting alternating between Beijing and the EU.
- Biannual meetings between Troika and Chinese human rights experts.
- Annual meetings between Troika Asia Pacific directors and their Chinese counterparts on Asian and Pacific issues, whenever possible held back-to-back with the EU-China human rights dialogue when that is held in Beijing.
- Meetings at least once a year between Troika and Chinese experts on arms export controls, non-proliferation and disarmament issues.
- Political consultations between the local troika of political counsellors and the Chinese MFA.

EU Common position on Cuba - conclusions

"The Council took note of the ninth evaluation of the EU Common Position on Cuba. The Council noted that since the previous evaluation last December, there have not been any substantial signs of change of the policy on behalf of the Cuban Government towards the accomplishments of the aims of the Common Position. Furthermore, the Common Position remains the basis of the European Union's policy towards Cuba and therefore the Council took note of its continued validity.

The Council reiterated that the objectives of the European Union towards Cuba remain the encouragement of a process of peaceful transition to pluralist democracy and respect for human rights and fundamental freedoms. Although the socio-economic situation remains precarious the Council has taken note of signs of improvement of living standards for the population.

The Council considers that it is essential that the EU and the Cuban authorities engage in a constructive and frank dialogue on all issues of common interest. The European Union remains open to resume such dialogue. In the light of the ninth evaluation, the Council considers that a broader presence of EU actors in Cuba would lead to a more efficient pursuit of the Common Position as it would offer opportunities for an ongoing process of dialogue, exchanges of experiences and learning for the future.

Therefore, the Council encourages the European Commission to strengthen its efforts for co-operation with, in particular, civil and non-governmental organisations in Cuba. The Council would welcome the engagement in a constructive dialogue with Cuba on a future co-operation framework based on the respect for democratic principles, human rights and the rule of law."

EU-Switzerland relations

The Council

- took note of the state of play of the contacts between the EU and Switzerland regarding various issues under discussion which are essentially Swiss participation in the European Environment Agency, cooperation in the area of statistics, combat against fraud, trade in processed agricultural products, taxation of savings income, general liberalisation of service provision, Swiss participation in programmes regarding training and youth as well as media, Swiss participation in the Dublin/Schengen *acquis*;

- agreed:

- to request that the technical, institutional and legal questions related to the Swiss request of participation in the Dublin/Schengen *acquis* be examined, without further delay in the appropriate Council preparatory bodies, in order to prepare for the discussion of a negotiating mandate;

- to ask the Commission:

- = to start the negotiations with Switzerland regarding the areas where the Council has adopted mandates (environment, statistics, agriculture and fraud);

- = to continue the ongoing exploration contacts with Switzerland regarding the other areas under discussion between the two sides and

- = to propose, at the appropriate time and within its competence, draft mandates to the Council in the respective areas;

- to encourage Switzerland to be forthcoming in response to the present conclusions;

- to request the Committee of Permanent Representatives and the EFTA Working Party to continue their monitoring of the ongoing contacts and developments in the various areas under discussion between the EU and Switzerland while involving the relevant bodies of the Council responsible for the different areas.

The Council adopted its position with a view to the 40th Association Council meeting on 26 June 2001 (see doc. CE-TR 109/01 Presse 272).

Ukraine

- 4th Cooperation Council

The Council approved its position for the 4th Cooperation Council meeting on 26 June 2001 (see document 10230/01 Presse 252).

- EU Common Strategy

The Council also took note of the progress report on the Presidency's Work Plan regarding the implementation of the Common Strategy on Ukraine, elaborated under the responsibility of the Swedish Presidency.

This report focuses the following areas:

- Support for the Economic and Democratic Transition Process in Ukraine;
- Ensuring stability and security and meeting common challenges on the European continent;
- Support for strengthened cooperation between the EU and Ukraine within the context of EU enlargement;
- Cooperation in the field of culture, twinning and exchange programmes;
- Inventories and promotion of cooperation.

Association with Slovakia

The Council adopted its position for the 7th Association Council meeting on 26 June 2001 (see document UE-SK 2015/01 Presse 270).

Association with Slovenia

The Council adopted its position for the 3rd Association Council meeting on 26 June 2001 (see document UE-SI 2015/01 Presse 270).

EU-Mercosur

The Council adopted its position for the 2nd EU-Mercosur Cooperation Council meeting on 26 June 2001 (see doc. 10231/01, Presse 253).

EU-Chile

The Council adopted its position for the 2nd meeting of the EU-Chile Joint Council on 26 June 2001 (see doc. 10232/01, Presse 254).

EEA

- 15th Meeting of the EEA Council

The Council approved its position for the 15th meeting of the EEA Council (see doc. EEE 1603/01 Presse 269).

- Cooperation in the field of education, training and youth

The Council approved a draft Decision of the EEA Joint Committee amending Protocol 31 to the EEA Agreement on cooperation in the specific fields outside the four freedoms (cooperation in the field of education, training and youth).

The draft Decision aims to modify Protocol 31 to extend cooperation in the field of education, training and youth. It provides for a framework for cooperation and sets out the modalities for the full participation of the EEA-EFTA States in the Community programmes and actions in this field ("Preparatory actions for cooperation in the fields of education and of youth policy – expenditure on administrative management" – "Preparatory actions for cooperation in the fields of education and of youth /P>

EMPLOYMENT POLICY AND SOCIAL AFFAIRS

Incentive measures in the field of employment

The Council adopted a common position on the proposed Decision on Community incentive measures in the field of employment. The common position will now be forwarded to the European Parliament for a second reading in accordance with the co-decision procedure.

The Community incentive measures are designed to encourage action to promote co-operation between the Member States and support their action in the field of employment. The proposal is based on Article 129 of the EC Treaty and is the last missing piece to complete the implementation of the "Employment" Title of the Treaty. Its purpose is to encourage Community activities to promote employment, in particular by funding jobs. Activities covered by existing instruments are not included in its scope.

Minimum health and safety requirements: exposure to mechanical vibrations

Following the political agreement reached at the Employment and Social Policy Council of 27/28 November 2000, the Council formally adopted a common position on the proposed Directive setting minimum health and safety requirements for workers exposed to risks arising from mechanical vibrations. The common position will now be transmitted to the European Parliament for a second reading in accordance with the co-decision procedure.

The purpose of the Directive is to combat the effects of vibrations causing muscular and skeletal disorders, which are the primary source of occupational illnesses. It will apply to cases in which vibrations are transmitted to the hands and arms, entailing in particular vascular, bone or joint neurological or muscular disorders, and also to vibrations transmitted to the whole body causing in particular low-back morbidity and trauma of the spine.

The proposal adopts action levels beyond which specific prevention measures must be taken, such as choice of work equipment producing the least vibration possible, given the work to be carried out, or entitling the workers concerned to appropriate health surveillance.

More information can be found in Press release no 13862/00 Presse 454.

FISHERIES

Agreement with Denmark and Greenland

The Council adopted the Regulation on the conclusion of the Fourth protocol laying down the

conditions relating to fishing provided for in the Agreement on fisheries between the European

Economic Community, on the one hand, and Denmark and Greenland, on the other. Under the new Protocol, Community fishermen will enjoy fishing opportunities in waters under the jurisdiction of Greenland from 1 January 2001 to 31 December 2006.

TRANSPARENCY

Council Conclusions on Openness, Transparency and Good Administrative Behaviour

1. Recalling its conclusions of June 1999, the Council welcomes the progress achieved in the field of openness and transparency since the entry into force of the Treaty of Amsterdam, and reiterates its firm commitment to work towards bringing the institutions of the European Union closer to the citizens.

The Council welcomes in particular the adoption of the Regulation (EC) No. 1049/2001 based on Article 255 of the Treaty regarding public access to European Parliament, Council and Commission documents, the purpose of which is to define the principles, conditions and limits on grounds of public or private interest governing the right of access to those documents, to establish rules ensuring the easiest possible exercise of this right, and to promote good administrative practice on access to documents.

2. The Council recalls its adoption on 9 April 2001 of Decision 2001/320/EC on making certain categories of Council documents available to the public via the Internet, thus simplifying access to its documents.

3. The Council notes with satisfaction the initiative creating a "Citizens' forum" - a "Future of Europe" website (<http://europa.eu.int/futurum>) where all contributions to the debate on the future of the European Union can be assembled and easily consulted.

4. The Council welcomes the progress that has been achieved by the Community institutions and the Office for Official Publications of the European Communities concerning the presentation via the Internet of legislative texts free of charge under a common portal: EUR-Lex (<http://eur-op.eu.int/portail/index.html>).

5. The Council notes the adoption by the SG/HR of a Code of good administrative behaviour for the General Secretariat of the Council of the European Union and its staff in their professional relations with the public.

Public access to documents - Declaration

In the context of the adoption on 30 May 2001 by the European Parliament and the Council of the Regulation regarding public access to European Parliament, Council and Commission documents, those three Institutions have made the following joint declaration:

"The European Parliament, the Council and the Commission agree that the agencies and similar bodies created by the legislator should have rules on access to their documents which conform to those of this Regulation. To this effect, the European Parliament and the Council welcome the Commission's intention to propose, as soon as possible, amendments to the acts establishing the existing agencies and bodies and to include provisions in future proposals concerning the establishment of such agencies and bodies. They undertake to adopt the necessary acts rapidly.

The European Parliament, the Council and the Commission call on the institutions and bodies not covered by paragraph 1 to adopt internal rules on public access to documents which take account of the principles and limits in this Regulation."

JUSTICE, HOME AFFAIRS AND CIVIL PROTECTION

Exchange of DNA analysis results

The Council formally adopted a Resolution on the exchange of DNA analysis results (see doc. 9118/01 Presse 203).

International high-tech and computer related crime

The Council formally adopted a Recommendation on 24-hour contacts for international high-tech and computer related crime (see doc. 9118/01 Presse 203).

APPOINTMENT

Committee of the Regions

The Council adopted a Decision appointing Mr Guy VAN HENGEL as an alternate member of the Committee of the Regions in place of Ms NEYTS-UYTTEBROECK, for the remainder term of office, which runs until 25 January 2002.