



**COUNCIL OF
THE EUROPEAN UNION**



10938/09 (Presse 173)

PRESS RELEASE

2950th Council meeting

General Affairs and External Relations

General Affairs

Luxembourg, 15 June 2009

President **Mr Jan KOHOUT**
Deputy Prime Minister and Minister of Foreign Affairs of the
Czech Republic

* The 2951st meeting on External Relations is the subject of a separate press release (10939/09).

P R E S S

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10938/09 (Presse 173)

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Main results of the Council

*The Council approved a joint statement of the EU and the United States on the closure of the **Guantanamo Bay** detention facility. The statement sets the framework for cooperation with the US on the closure of Guantanamo and paves the way for strengthening cooperation on counter-terrorism in the future.*

*The Council also approved directives for the negotiation of a new agreement with the Republic of **Moldova**, aimed at taking relations beyond the current partnership and cooperation agreement.*

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

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PARTICIPANTS

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

Belgium:

Mr Karel DE GUCHT
Mr Olivier CHASTEL

Minister for Foreign Affairs
State Secretary for Foreign Affairs with responsibility for preparing for the EU Presidency, attached to the Minister for Foreign Affairs

Bulgaria:

Mr Ivailo KALFIN

Deputy Prime Minister and Minister for Foreign Affairs

Czech Republic:

Mr Jan KOHOUT
Mr Štefan FÜLE

Deputy Prime Minister and Minister for Foreign Affairs
Minister for European Affairs

Denmark:

Mr Per Stig MØLLER
Mr Michael ZILMER-JOHNS

Minister for Foreign Affairs
State Secretary for Foreign and Security Policy, EU Policy and EU Coordination

Germany:

Mr Günter GLOSER

Minister of State, Ministry of Foreign Affairs

Estonia:

Mr Urmas PAET

Minister for Foreign Affairs

Ireland:

Mr Micheál MARTIN

Minister for Foreign Affairs

Greece:

Ms Dora BAKOYANNI
Mr Ioannis VALINAKIS

Minister for Foreign Affairs
State Secretary for Foreign Affairs

Spain:

Mr Miguel Ángel MORATINOS CUYAUBÉ
Mr Diego LÓPEZ GARRIDO

Minister for Foreign Affairs and Cooperation
State Secretary for the European Union

France:

Mr Bernard KOUCHNER
Mr Bruno LE MAIRE

Minister for Foreign and European Affairs
Minister of State with responsibility for European affairs

Italy:

Mr Franco FRATTINI

Minister for Foreign Affairs

Cyprus:

Mr Marcos KYPRIANOU

Minister for Foreign Affairs

Latvia:

Mr Māris RIEKSTIŅŠ

Minister for Foreign Affairs

Lithuania:

Mr Vygaudas UŠACKAS

Minister for Foreign Affairs

Luxembourg:

Mr Jean ASSELBORN

Deputy Prime Minister, Minister for Foreign Affairs and Immigration
Minister with responsibility for Foreign Affairs and Immigration

Mr Nicolas SCHMIT

Hungary:

Mr Péter BALÁZS

Minister for Foreign Affairs

Malta:

Mr Tonio BORG

Deputy Prime Minister and Minister of Foreign Affairs

Netherlands:

Mr Maxime VERHAGEN
Mr Frans TIMMERMANS

Minister for Foreign Affairs
Minister for European Affairs

Austria:

Mr Michael SPINDELEGGER

Federal Minister for European and International Affairs

Poland:

Mr Radosław SIKORSKI

Minister for Foreign Affairs

Portugal:

Mr Luis AMADO

State Minister and Minister for Foreign Affairs

Ms Teresa RIBEIRO

State Secretary for European Affairs

Romania:

Mr Cristian DIACONESCU

Minister for Foreign Affairs

Slovenia:

Mr Samuel ŽBOGAR

Minister for Foreign Affairs

Slovakia:

Ms Oľga ALGAYEROVÁ

State Secretary at the Ministry of Foreign Affairs

Finland:

Mr Alexander STUBB

Minister for Foreign Affairs

Ms Astrid THORS

Minister for Migration and European Affairs

Sweden:

Mr Carl BILDT

Minister for Foreign Affairs

Ms Cecilia MALMSTRÖM

Minister for European Affairs

United Kingdom:

Mr David MILIBAND

Secretary of State for Foreign and Commonwealth Affairs

Ms Glenys Elizabeth KINNOCK

Minister of State for Europe

Commission:

Ms Margot WALLSTRÖM

Vice President

General Secretariat of the Council:

Mr Javier SOLANA

Secretary-General/High Representative for the CFSP

ITEMS DEBATED

PREPARATION OF THE JUNE EUROPEAN COUNCIL

The Council examined draft conclusions prepared by the presidency for the European Council meeting to be held in Brussels on 18 and 19 June.

The issues to be addressed by the European Council are as follows:

- EU institutional issues;
- the economic, financial and social situation, including the supervision of financial services and efforts to support employment;
- climate change and sustainable development;
- illegal immigration;
- external relations, including Pakistan and Afghanistan.

OTHER ITEMS APPROVED**EXTERNAL RELATIONS****United States - Guantanamo Bay detention facility**

The European Union and the United States endorsed a joint statement on the closure of the Guantanamo Bay detention facility, at the same time marking a fresh start in counterterrorism cooperation based on shared values, international law, respect for human rights and the rule of law.

The statement, a joint effort of the Czech EU Presidency, with the support of the EU Counterterrorism Coordinator and the European Commission, and the United States, gives full backing to the U.S. pledge to close the detention centre. It allows those EU member states wishing to receive former detainees cleared for release, based on a request by the United States, to refer to a common EU framework when doing so.

The text draws upon principles adopted by EU interior ministers, which stipulate that the United States will share with the EU member states the available information relevant to ex-detainees received on the territory of the EU member states and the Schengen Area. The decision on whether to accept former inmates from Guantanamo remains the exclusive competence of the individual member states.

By supporting the U.S. determination to shut down Guantanamo, the EU hopes to contribute to changing US policies and to help the United States turn the page. Close cooperation based on shared values is imperative for an effective fight against terrorism while protecting the liberty and safety of our citizens.

[Factsheet on Guantanamo closure](#)

[Joint Statement on the Closure of the Guantanamo Bay Detention Facility and Future Counterterrorism Cooperation](#)

[Council Conclusions of the Justice and Home Affairs Council of 4 June 2009 on information exchange mechanism](#)

Relations with the Republic of Moldova - *Council conclusions*

The Council adopted directives for the negotiation of a new agreement between the EU and the Republic of Moldova.

It adopted the following conclusions:

"The Council recalls its strong commitment to further deepening the relationship between the EU and the Republic of Moldova, on the basis of shared values and principles. The Eastern Partnership, launched in Prague on 7 May as a specific Eastern dimension of the ENP, provides a new, ambitious framework for taking the EU-Republic of Moldova relationship to a new level. The Council is committed to enhancing EU support for further political and economic reforms in the Republic of Moldova, aimed in particular at strengthening democracy and good governance, the rule of law, freedom of the media and respect for human rights and fundamental freedoms. The Council welcomes in this context the Commission's intention to launch a comprehensive package for democracy support in the Republic of Moldova.

Against this background, the Council has adopted the EU's negotiating directives for a new, comprehensive EU-Republic of Moldova agreement which will go beyond the current Partnership and Cooperation Agreement. The Council expresses its willingness to start negotiations as soon as circumstances allow.

In this context, and with a view to the start of the negotiations, the Council calls on the Republic of Moldova to ensure equal treatment to all EU citizens in its visa policy and underlines the importance of the principle of good-neighbourly relations.

At the same time, the Council expresses serious concern over the human rights abuses that took place after the 5 April parliamentary elections in the Republic of Moldova. It calls for a transparent, impartial and effective investigation of the human rights violations as well as the events around 7 April, through a process that includes the opposition as well as international experts. The Council underlines that the use of violence for political aims is unacceptable. The Council is also concerned by the deterioration of freedom of expression and media freedom and urges the Republic of Moldova to ensure equal access of political parties to the public media, to ensure transparent allocation of media licences and to refrain from the use of administrative pressure against independent media, civil society organisations and political parties.

The Council is closely following political developments in the Republic of Moldova and underlines the need for constructive political dialogue. It urges the Moldovan authorities to ensure that the forthcoming parliamentary elections are free and fair and calls on them to work closely with the OSCE/ODIHR and the Venice Commission of the Council of Europe to address their recommendations.

The Council underlines continued efforts of the EU to contribute to a peaceful and viable settlement of the Transnistria conflict and stresses the importance of fully observing the principles of independence, sovereignty and territorial integrity of the Republic of Moldova. In this context, the Council welcomes the work of the EUSR and the Commission on confidence-building measures and calls on all sides to support these. The Council reiterates that a settlement has to be negotiated in the 5+2 framework which is the only format that can guarantee the necessary transparency and legitimacy. The Council calls for the resumption of 5+2 negotiations as soon as possible."

Iraq - Council conclusions

The Council adopted the following conclusions:

- "1. The Council welcomes the announcement of national elections no later than the end of January 2010 and of parliamentary and presidential elections in the Kurdistan Region on 25 July 2009 and stresses the need to keep the planned timetable for both sets of elections. Recalling the Council conclusions of February 2009, the EU will seek to provide further support to elections in Iraq.
2. The Council continues its strong support of UNAMI's role in providing assistance and reconstruction to the people of Iraq. Furthermore, the Council continues to support the efforts of UNAMI in assisting Iraq by contributing to discussions on disputed internal boundaries, including Kirkuk. The Council underlines the need for dialogue and willingness to compromise from all parties in order to build a state where long-lasting peace and rule of law prevail and to achieve national reconciliation between all of Iraq's communities. The Council also encourages the Iraqi authorities to further intensify their efforts to increase transparency and to combat corruption.

3. The Council reiterates its support for Iraq's re-engagement with its neighbours and international institutions, in accordance with relevant UN resolutions. It also calls on regional partners, including the Arab League to continue active dialogue and cooperation with Iraq, for the sake of unity, integrity and sovereignty of the country as well as for the peace and stability of the whole region. In this context the Council welcomes the increased high level dialogue and further opening of diplomatic missions, at the same time it encourages progress in negotiations on debt relief by regional partners.
4. The EU remains concerned about the human rights situation, in particular the situation of women and vulnerable groups such as persons belonging to religious and ethnic minorities. The Council calls on the Iraqi government to seriously consider UNAMI recommendations. It also remains committed to supporting the Iraqi efforts to strengthen respect for human rights including through further institution building.
5. The EU underlines its unequivocal opposition to the death penalty and is deeply concerned about recent executions. The Council calls on Iraq to resume the de facto suspension of the execution of the death penalty, which had been observed in Iraq from August 2007 until May 2009, pending legal abolition.
6. The EU will continue to work closely with the many other international actors operating in Iraq to maximise the impact of development work in-country under Iraqi leadership. The EU and its member states will continue to coordinate on their bilateral programmes with the Government of Iraq to further complement the international community's efforts. In this context, the Council underlines the EU determination to strengthen donor coordination in order to promote aid effectiveness in line with agreed international principles.
7. The Council welcomes the significant progress made in negotiations between the EU and Iraq on a Partnership and Cooperation Agreement. It underlines its desire to conclude negotiations as soon as possible following the last successful round on 25-27 May 2009. This Agreement will be of mutual benefit to Iraq and the EU, and will provide a solid platform for the development of further ties between the two parties. Equally, the signing of the Memorandum of Understanding on energy cooperation will further enhance the relationship between the EU and Iraq."

Extension of the mandate of the EUSR for Afghanistan to include Pakistan

The Council adopted a joint action which extends the mandate of the European Union Special Representative (EUSR) for Afghanistan to include Pakistan. Ambassador Ettore F. SEQUI is appointed as the EUSR for Afghanistan and Pakistan until 28 February 2010. His mandate is to convey the views of the EU on the political process in Afghanistan and in Pakistan, maintain close contact with the Afghan and Pakistani representative institutions, stay in close contact with neighbouring and other interested countries in the region and with relevant international and regional organisations (10542/09).

Enhanced EU engagement in Afghanistan and Pakistan - *Council conclusions*

The Council adopted the following conclusions:

"The Council reiterates the EU's strong engagement in Afghanistan and Pakistan. It welcomes the ongoing work, urges rapid delivery on existing priorities and reconfirms its long-term commitment to working with the people and governments of Afghanistan and Pakistan, and to further strengthen and improve the EU's efforts and contribution to the stability, reconstruction and development of the countries.

To this end, the Council invites the SG/HR and the Commission to look at how to further enhance and improve the EU's engagement in Afghanistan, building on existing policies and activities, and report to the Council by October 2009 with further concrete recommendations, policy priorities and a strategy for EU engagement. This work should prepare the EU for co-operation with the incoming government. The Council invites Member States to contribute to this task with the aim of enhancing and consolidating the EU's approach to Afghanistan. Areas where the EC's and Member States' actions and resources can be further aligned, should be identified. In this regard, the Council recalls the importance it attaches to working towards a single EU representation in order to enhance the EU's coherence and visibility in Afghanistan.

As for Pakistan, the Council acknowledges the country's strategic importance for stability in the region. With a view to forging a stronger EU-Pakistan partnership, the Council invites the SG/HR and the Commission to follow up on outcome of the planned ad hoc summit, and report back to the Council on progress and with recommendations for further action by October 2009. The Council also invites the Member States to contribute to this task with the aim of enhancing and consolidating the EU's approach to the Pakistan, including with concrete recommendations, policy priorities and a strategy for EU engagement."

EU terrorist list - Adoption of a new consolidated list

The Council has conducted a complete review of the persons and entities subject to the EU's autonomous regime on specific restrictive measures directed against certain persons and entities with a view to combating terrorism (common position 2001/931/CFSP and Council regulation 2580/2001¹).

In the light of this review, the Council adopted a common position updating common position 2001/931/CFSP on the application of specific measures to combat terrorism, and a Council regulation implementing article 2(3) of regulation 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism.

The lists of the persons and entities subject to the measures are annexed to the common position and to the Council regulation. Both acts, including the new consolidated lists, will be published in the Official Journal.

Two individuals have not been included in the lists of persons and entities, as the Council has concluded that there are no longer grounds for keeping them on the list.

The list was last reviewed on 26 January 2009.

The parties listed pursuant to regulation 2580/2001 will be informed via a "letter of notification" of the specific information that forms the basis for the Council's regulation².

These parties may challenge the Council's regulation before the Court of First Instance.

¹ OJ L 344 28.12.2001, p. 70 and p. 93.

All persons, groups and entities on the list annexed to common position 2001/931/CFSP are subject to enhanced measures relating to police and judicial cooperation in criminal matters within the framework of title VI of the Treaty on European Union. In addition, those persons, groups and entities which are also on the list provided for in Council regulation 2580/2001 are subject to an asset freeze implemented by the European Community.

² For those whose address is unknown, a notice is published in the Official Journal ("C" series) which indicates that they may submit a request to obtain the Council's statement of reasons concerning them.

United Nations General Assembly - EU priorities

The Council approved the EU's priorities, with regard to peace and security, sustainable development and human rights, for the 64th session of the United Nations General Assembly, which will start on 15 September ([10809/09](#)).

The EU is fully committed to effective multilateralism with a central role for the United Nations. Its goal is to work towards a multilateral system based on international law as well as the purposes and principles of the charter of the United Nations.

Annual report on common foreign and security policy

The Council approved a report, to be presented to the European Parliament, on the main aspects and basic choices of the EU's common foreign and security policy (CFSP) in 2008 ([10665/09](#) + [10665/09 COR1](#) + [10665/09 COR 2](#)).

This year's CFSP report to the European Parliament has been inspired by the recent report on the implementation of the European Security Strategy (ESS). The report takes a more strategic, theme-driven and streamlined approach than the CFSP reports of previous years. References to the European Parliament's resolutions on CFSP issues underline the connectivity of the Parliament's and the Council's work.

The following items relating to CFSP matters are available on the Council's website (<http://consilium.europa.eu>): list of CFSP legislative acts, declarations, information on EU specialrepresentatives, calendar of CFSP activities, including political dialogue meetings with thirdcountries.

Report on the prevention of violent conflicts

The Council approved a report setting out the conflict prevention activities of the European Union since July 2008 and including recommendations with a view to achieving further progress. The report will be submitted to the European Council on 18-19 June 2009.

The report covers in particular the following areas: early warning, action and policy coherence, instruments for long- and short-term prevention and effective partnerships for prevention.

It was drawn up pursuant to the EU programme for the prevention of violent conflicts endorsed by the European Council in June 2001 in Göteborg, which provides for an annual report on the progress made in its implementation to be submitted by the presidency to the June European Council.

EUROPEAN SECURITY AND DEFENCE POLICY

Somalia - Operation Atalanta - Council conclusions

The Council adopted the following conclusions:

"The Council noted that the Operation ATALANTA had demonstrated its ability to act effectively against piracy, that piracy off the coast of Somalia was likely to remain a serious threat beyond Operation ATALANTA's current end date of 13 December 2009, and that early agreement on extending the operation would facilitate the necessary force generation. In this context, the Council agreed that Operation ATALANTA should be extended for one year from its current end date"

Democratic Republic of the Congo - EU mission on security sector reform

The Council adopted a joint action extending and amending joint action 2007/406/CFSP on the EU mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo ("EUSEC RD Congo mission") ([10358/09](#)).

The joint action extends for an additional three months, until 30 September 2009, the current mission's mandate, which would otherwise expire on 30 June 2009.

The financial reference amount to cover expenditure relating to the mission from July 2008 to September 2009 is set at EUR 8.45 million.

In 2007, the Council adopted joint action 2007/406/CFSP ("EUSEC RD Congo mission"), which replaced the mission previously established by joint action 2005/355/CFSP, with a view to fulfilling the EU's commitments in contributing to bringing stability to the Great Lakes region.

Small arms and light weapons - Progress report

The Council approved a report on implementation of the EU's strategy on combating the illicit accumulation and trafficking of small arms and light weapons (SALW) and ammunition.

The document, the seventh six-monthly report on the SALW strategy, was prepared by the office of the high representative on non-proliferation in cooperation with the Commission. The strategy was adopted by the European Council in December 2005 and includes an action plan which calls for continuous monitoring .

During the first half of this year, the EU continued to promote SALW issues in multilateral fora and in the framework of political dialogue under international programmes such as the 2001 UN programme of action to prevent, combat and eradicate illicit trade in small arms.

Report on ESDP

The Council approved a report from the presidency on European security and defence policy, and agreed to forward it to the European Council for endorsement.

ESDP training activities - Annual report

The Council took note of an annual report on training activities under the European security and defence policy ([9280/09](#)).

JUSTICE AND HOME AFFAIRS

Conference on "Building Migration Partnerships"

The Council took note of the outcome of a ministerial conference, "Building Migration Partnerships", which took place in Prague on 27 and 28 April.

The conference was attended by all EU member states and other Schengen partners, and by a number of third countries at the EU's eastern and south-eastern frontiers, including the Western Balkan countries.

The conference concluded with a joint declaration establishing a framework for developing and strengthening cooperation on migration and migration-related issues among all partners, identifying three main areas where action needs to be developed: legal migration, combating illegal migration, and migration and development.

INSTITUTIONAL AFFAIRS

Rules of procedure of the EU's Court of First Instance

The Council approved amendments to the rules of procedure of the EU Court of First Instance ([9982/09](#)).

The amendments add a new chapter, entitled "Decisions of the Court of First Instance given after its decision has been reviewed and the case referred back to it", and adjust rules on the handling of intellectual property cases so as to enable the Court to manage an increasing case-load in that area.

GENERAL AFFAIRS

European Conscience and Totalitarianism - *Council conclusions*

On the occasion of the 20th anniversary of the democratic change in the Central and Eastern European countries, the Council adopted the following conclusions:

"The Council shares the European Parliament's view expressed on "European Conscience and Totalitarianism" that, in order to strengthen European awareness of crimes committed by totalitarian regimes, the memory of Europe's troubled past must be preserved, as reconciliation would be difficult without remembrance.

The Council recognizes the efforts made in this field by Member States and by the European Commission and welcomes the European Parliament's call for the establishment of a "Platform of European Memory and Conscience" that would provide support for networking and cooperation among national bodies related to the examination and remembrance of totalitarian regimes.

In order to speed up progress in this field, the Council invites the European Commission to make full use of all existing related financial instruments, inter alia the "Europe for Citizens" programme."

Work in the Council's different configurations

The Council took note of a report on proceedings in its different configurations ([10711/09](#)).

EUROPEAN ECONOMIC AREA**Safety and health at work**

The Council approved a draft decision to be taken by the European Economic Area (EEA) Joint Committee with a view to extending EU-EEA cooperation in the field of social policy ([10041/09](#)).

The draft decision allows for European Free Trade Area (EFTA) states that are members of the EEA, namely Iceland, Liechtenstein and Norway, to participate in the European Agency for Safety and Health at Work. It includes provisions on the financial contribution to be provided by EFTA states and modalities for their participation on the agency's governing board.

Implementation and development of the internal market

The Council approved a draft decision to be taken by the European Economic Area (EEA) Joint Committee with a view to continuing cooperation in the implementation and development of the internal market ([10368/09](#)).

The draft decision prolongs cooperation beyond 31 December 2008 for a further year.

RESEARCH**Faeroe Islands - Scientific and technological cooperation agreement**

The Council adopted a decision authorizing the Commission to open negotiations on an agreement for scientific and technological cooperation with the Faeroe Islands.

TRANSPARENCY**Transparency - public access to documents**

The Council adopted:

- the reply to confirmatory application 12/c/01/09 made by Mr Christoph Busch (*doc. [9442/09](#)*);
- the reply to confirmatory application 13/c/01/09 made by Mr Bruno Waterfield (*doc. [9785/09](#)*);
- the reply to confirmatory application 14/c/01/09 made by Ms Sigita Urdze, the Finnish and Swedish delegations voting against (*doc. [10071/09](#)*); and
- the reply to confirmatory application 15/c/01/09, the Finnish and Swedish delegations voting against (*doc. [10193/09](#)*).

APPOINTMENTS**Committee of the Regions**

The Council adopted a decision appointing for the remainder of the current term of office, ending on 25 January 2010

a) as member:

- Mr Alberto Nuñez Feijoo, Presidente de la Xunta de Galicia, Galicia,

b) as an alternate member:

- Mr Jesús Gamallo Aller, Director General de Relaciones Exteriores y con la Unión Europea, Galicia.