



**COUNCIL OF  
THE EUROPEAN UNION**



6420/05 (Presse 34)

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## **PRESS RELEASE**

2641st Council meeting

### **General Affairs and External Relations**

#### **External Relations**

Brussels, 21 February 2005

President      **Mr Jean ASSELBORN**  
Deputy Prime Minister, Minister for Foreign Affairs and  
Immigration of Luxembourg

\* Some External Relations items were adopted without debate at the 2640th meeting on General Affairs (6419/05).

# **P R E S S**

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6420/05 (Presse 34)

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**EN**

## **Main results of the Council**

*The Council strengthened the EU's commitment to **Iraq**, on the basis of the assistance programme presented in November 2004. In particular, it decided to launch an Integrated Rule of Law Mission in the framework of the ESDP (European Security and Defence Policy), which will aim to train managerial staff for the judicial, police and prison sectors.*

*The Council approved a series of measures to strengthen and enrich the EU-**Ukraine** Action Plan under the European Neighbourhood Policy. In parallel with the meeting, the EU-Ukraine Cooperation Council adopted the Action Plan, implementation of which is to start immediately.*

*The Council raised the situation in **Kosovo**, in the presence of the Special Representative of the United Nations Secretary-General, with a view to mid-2005, which will offer an initial opportunity to carry out a full evaluation of the progress made as regards actual compliance with the standards laid down by the United Nations. The Council invited the High Representative and the Commission to examine, together with the UN and other relevant players, what contribution the EU might make in future to the efforts of the international community in Kosovo to implement Resolution 1244, its support for the overall evaluation of the implementation of the standards and its contribution to later stages in the process, and to report back to it.*

*The Council also urged **Croatia** to take the necessary steps to cooperate fully with the International Criminal Tribunal for former Yugoslavia.*

*Finally, the Council discussed preparations for the summit meeting on 22 February between the Heads of State or Government of the Union and the President of the **United States**.*

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**OTHER ITEMS APPROVED**

*Please refer to the General Affairs Press Release: 6419/05 Presse 33.*

<sup>1</sup>

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

## PARTICIPANTS

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

### Belgium:

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Federal Minister for Foreign Affairs and Deputy Federal  
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Mr Hans Martin BURY

Minister of State, Ministry of Foreign Affairs

### Estonia:

Mr Väino REINART

Permanent Representative

### Greece:

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### Spain:

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Deputy Prime Minister and Minister for Foreign Affairs  
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### Cyprus:

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Minister for Foreign Affairs

### Latvia:

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### Lithuania:

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Minister for Foreign Affairs

### Luxembourg:

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Minister for Foreign Affairs  
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**Malta:**

Mr Michael FREUDO

Minister for Foreign Affairs

**Netherlands:**

Mr Bernard BOT

Minister for Foreign Affairs

Mr Atzo NICOLAÏ

Minister for European Affairs

**Austria:**

Ms Ursula PLASSNIK

Federal Minister for Foreign Affairs

**Poland:**

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Mr Jack STRAW

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Mr Denis MacSHANE

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Ms Benita FERRERO-WALDNER

Member

Mr Louis MICHEL

Member

Mr Olli REHN

Member

**General Secretariat of the Council:**

Mr Javier SOLANA

Secretary-General of the European Union/High Representative for the CFSP

## **ITEMS DEBATED**

### **MIDDLE EAST**

The Council adopted the following conclusions:

– ***Attack carried out in Beirut***

"The Council firmly condemns the despicable attack which cost the life of the former President of the Council of Ministers of Lebanon, Mr Rafic Hariri, and of at least fourteen other people.

The Council pays tribute to the work done by the former President of the Council of Ministers of Lebanon for his country and for the strengthening of relations between Lebanon and the EU, and wishes an international enquiry to be carried out immediately in order to shed light on the circumstances of this attack and those responsible for it.

In accordance with the conclusions of the European Council of 16 and 17 December 2004, the Council reiterates the importance of implementing United Nations Security Council Resolution 1559 (2004).

The Council has agreed to remain vigilant so that the forthcoming parliamentary elections in Lebanon may be held in accordance with a free and fair electoral process, without any foreign interference or influence."

– ***Middle East Peace Process***

- "1. The Council expresses its profound satisfaction with the outcome of the Sharm el Sheikh Summit on 8 February 2005. It congratulates Prime Minister Sharon and President Abbas on the courageous decisions which they took during that Summit. It appreciates the contributions from President Mubarak and King Abdallah. The Council welcomes the possibilities offered for taking full advantage of this opportunity for peace. The determination expressed by both parties to work together in a spirit of understanding and cooperation must continue so that the peace process may be relaunched
2. The Council expresses particular satisfaction regarding the commitment made by both parties to stop all acts of violence and to cease all military activity in parallel. It calls on all parties concerned to respect this agreement and asks the regional players and the international community to give their full support. The Council strongly encourages Israelis and Palestinians to rapidly implement the Sharm el Sheik commitments and to continue on the path of dialogue and political negotiation.

3. The Council undertakes to support the parties in their efforts to continue to work towards progress in the peace process. The goal remains the coexistence of the two States through the creation of an independent, democratic and viable Palestinian State living alongside Israel and its other neighbours in peace and security. It reaffirms its attachment to the Road Map, adopted by Security Council Resolution 1515, which maps out the path towards achieving this goal. The role of the Quartet in the success of this process remains central. The Council looks forward to the visit of President Bush to Brussels on 22 February, which will provide an opportunity for reaffirming the common transatlantic agenda with regard to achieving a fair, lasting and comprehensive peace in the Middle East.
4. The Council continues to support Israel's withdrawal from Gaza and from certain parts of the northern West Bank as an initial stage in this overall process. It hails the decision taken in this connection by the Israeli Government on 20 February 2005. The withdrawal must be implemented in accordance with the conditions specified by the European Council of March 2004.
5. The Council welcomes the meeting in London on 1 March 2005 as an opportunity for the international community to support the current Palestinian efforts to consolidate the structures of the future Palestinian State.
6. The Council recalls that a fair, lasting and comprehensive peace must meet the legitimate aspirations of both the Israeli and Palestinian people and encompass Lebanon and Syria.
7. The Council urges all sides in the region to immediately implement policies conducive to dialogue and negotiation. The EU's relationship with those who take steps to the contrary will inevitably be affected by such behaviour."

## IRAQ

The Council reached political agreement on a draft joint action on an Integrated Rule of Law Mission for Iraq in the framework of the European Security and Defence Policy, EUJUST LEX, and adopted the following conclusions:

- "1. The Council congratulates the Iraqi people on the elections held on 30 January, which reflect the attachment of the Iraqi people to the political process under way, to democratic principles and to the rule of law. The Council takes note of the results announced on 13 February by the Independent Electoral Commission of Iraq (IECI), which established that the elections had taken place in accordance with international standards. It also congratulates the democratically elected representatives of the Iraqi people. The Council reaffirms its support for the work of the IECI and the UN with a view to the constitutional referendum and elections in December 2005 and commends the willingness of the European Commission to provide financial and technical support in preparing these events. It reaffirms its commitment to support the Iraqi people and stresses the importance of achieving maximum inclusiveness in this process. It reiterates its willingness to work with the transitional National Assembly and the elected Iraqi transitional government.
2. The Council reaffirms its objective of a safe, stable, unified, prosperous and democratic Iraq that upholds human rights and cooperates constructively with its neighbours and with the international community. In order to attain this goal, it emphasises the European Union's willingness to continue implementation of the full assistance programme as presented to Iraq on 5 November 2004.
3. The Council reaffirms the importance it attaches to the continuing implementation of the next stages laid down by Resolution 1546, and in particular to the formation of a transitional National Assembly, whose tasks will include the formation of a transitional government for Iraq and the drafting of a lasting Constitution, resulting in the formation by 31 December 2005 at the latest of a government established in conformity with that Constitution. The Council welcomes the intention of the Commission and the Member States, if asked by the Iraqis, to provide support for the constitutional process in accordance with Resolution 1546 and in full coordination with the UN. It supports and encourages the Iraqi authorities in pursuing the full involvement of all sections of Iraqi society in the constitutional process and in promoting genuine national dialogue.
4. The Council wishes as of now to express its willingness to set up with the transitional government a political dialogue on areas of mutual interest. For this purpose, contacts will be developed between the European Union and Iraq, including at ministerial level. Depending on political developments in Iraq, a visit by the Troika to the elected transitional government may help deepen relations between the EU and Iraq with a view to establishing regular political dialogue.

5. The Council reiterates the European Union's commitment to contribute to the economic, social and political reconstruction of Iraq and its support for the UN's activities, and refers to the contribution of some EUR 320 million that the Community has already made to humanitarian aid, reconstruction and preparation for the elections on 30 January 2005. It reaffirms its commitment to assisting Iraq through a further Community budget contribution of EUR 200 million for 2005, intended inter alia for the restoration of essential public services – education and health –, boosting employment, and support for the political process, civil society and human rights.
6. The Council notes the willingness of the Commission and the Member States to contribute to capacity-building of the Iraqi ministries and to support for the development of these institutions in a number of sectors, especially in the fields of trade and energy. It calls on the Commission to promote coordination of these European efforts at an initial stage through exchanges of information.
7. The Council has decided to launch an Integrated Rule of Law Mission for Iraq, EUJUST LEX, which should be operational as soon as possible. The EU started planning the operation following consultations with the Iraqi interim authorities and on the basis of the report by the team of experts. The Mission falls under the scope of the ESDP. It will consist of integrated training in the fields of management and criminal investigation, to be given to a representative group of senior officials and executive staff, mainly from the judicial, police and prison sectors. The Council agreed that training activities would take place in the EU or in the region and that the Mission should have a liaison office in Baghdad. Depending on developments in the security conditions in Iraq and on the availability of appropriate infrastructure, the Council will be called upon to examine the possibility of training within Iraq and, if necessary, will amend the relevant joint action accordingly. The arrangements for the Mission, which is to complement international efforts under way, will be determined in consultation with the Iraqi authorities.
8. The Council recalls that Iraq is a beneficiary of the EU's Generalised System of Preferences. It welcomes the contacts already made by the Commission with the Iraqi authorities and the steps taken by the Commission to develop a bilateral trade assistance programme, as well as its readiness to pursue and intensify contacts with the Iraqi authorities, including in terms of technical expertise, in order to enable Iraq to benefit effectively from these trade preferences.

9. The Council takes note of the substantial contributions made by the Member States to the financing of the UN Protection Force in Iraq, i.e. the "middle ring" of their security arrangements, and reaffirms its willingness to contribute to the funding of the integrated security structure of the UN in Iraq ("inner ring"), with a view to facilitating the UN's role in promoting the political process and reconstruction in Iraq.
10. The Council reaffirms its intention to explore with Iraq the possibilities of an agreement with the European Union which takes account of the parties' interest in establishing a partnership and in promoting political and trade cooperation between each other. The Council welcomes the Commission's intention to continue providing support to the Iraqi administration, including through targeted assistance programmes designed to create the necessary conditions for such an agreement.
11. In accordance with the Commission communication entitled "The European Union and Iraq – A Framework for Engagement", the Council calls on the Commission to open a delegation in Iraq as soon as security conditions allow.
12. The Council reiterates its firmest condemnation of the terrorist acts, murders and hostage-takings which have been committed in Iraq. The two European journalists, the other European hostage and all the other hostages must be released at once."

**WESTERN BALKANS**

The Council adopted the following conclusions:

**"SERBIA AND MONTENEGRO / KOSOVO**

The Council considered the situation in Kosovo, in the presence of the Special Representative of the United Nations Secretary-General for Kosovo. It offered Mr Jessen-Petersen its full support for his work to implement Security Council Resolution 1244.

The Council took note of the public commitment made by the Provisional Institutions of Self-Government (PISG) to the implementation of the reforms needed to guarantee that the standards laid down by the United Nations are fully complied with. It urged the PISG to commit themselves unreservedly to the establishment of a multi-ethnic Kosovo. The Council called on the PISG to make full use of the powers transferred to them by the United Nations Mission in Kosovo (UNMIK) to guarantee that the standards are fully complied with. It encouraged UNMIK to examine the possibility of a further transfer of powers.

Mid-2005 will provide a first opportunity to carry out a full evaluation of progress made when it comes to effective compliance with the standards laid down by the United Nations. Progress towards a process to determine the future status of Kosovo in accordance with United Nations Security Council Resolution 1244 will depend on the positive outcome of that evaluation.

The Council recalled that the European Union had been closely involved in this process, without prejudice to the United Nations' role in determining the future status of Kosovo. The Thessaloniki summit clearly affirmed that the Western Balkans - including Kosovo, without prejudging its future status - were destined to join the European Union. The Union will therefore have an important role to play when the status of Kosovo is being examined, to ensure that it is fully compatible with the process of European integration.

The Council also emphasised that Kosovo would not return to the situation before 1999. Its future can only be conceived in the form of a multi-ethnic and democratic Kosovo which ensures effective protection for minorities, preserves the cultural and religious heritage of all its communities, and respects the right of refugees and displaced persons to return, contributing to the stability of the region and adhering to the values and standards of the EU.

The Council emphasised the importance which it attached to a substantial dialogue being established between the communities in Kosovo and between the authorities in Belgrade and Pristina. It called on all the communities to commit themselves actively to the important ongoing process to reform the local authorities and to establish a decentralised system which contributes to guaranteeing the protection of minorities, to ensure the best living conditions for the whole population and to set up a sustainable administration in Kosovo. In particular, the Council encouraged the Serbs in Kosovo to take their place in the PISG. It declared itself encouraged by the fact that the authorities in Belgrade had informed the UN Secretary-General's Special Representative of their readiness to resume direct dialogue with Pristina.

The Council stressed that full and unconditional cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) is an international obligation and remains an essential requirement for further movement towards the European Union.

The Council recalled that the medium and long-term stability of Kosovo also depended on its economic development, to which the entire Kosovan population aspired. It reaffirmed the EU's support for the efforts made by UNMIK and the PISG in this respect.

The Council invited the SG/HR and the Commission, in close cooperation with the Presidency, to examine with the United Nations and other relevant players what might be the future contribution of the European Union to the efforts of the international community in Kosovo to implement Resolution 1244, how the EU might assist in the overall evaluation of the implementation of the standards, and what it might contribute to the later stages of the process, and to report back to it on this.

#### SERBIA AND MONTENEGRO

The Council welcomed the voluntary surrender and transfer by the Serb authorities of the indictee Lazarevic to the Hague, as an important step in the process of arresting and transferring all indicted persons who continue to evade international justice.

#### CROATIA

The Council welcomed the presentation by the Commission of its proposal for a negotiating framework with Croatia. It invited its competent bodies to examine the proposal with a view to reaching agreement on the framework in view of the opening of the accession negotiations on 17 March 2005 provided Croatia cooperates fully with the ICTY - as decided by the European Council on 16 and 17 December 2004.

Full and unconditional cooperation by the countries of the Western Balkans with the ICTY remains an essential requirement for their continuing movement towards the EU. The Council urged Croatia to take the necessary steps for full cooperation with the ICTY and reiterated that the last remaining indictee must be located and transferred to the Hague as soon as possible."

**EU/UNITED STATES RELATIONS**

The Presidency summarised for the Council the preparations being made for the visit of the President of the United States to the Union's institutions and for the summit meeting between Mr Bush and the Heads of State and Government of the 25 on 22 February.

President Bush will meet the EU Heads of State and Government in the afternoon of 22 February at about 16.45. The meeting will be followed by a press conference. The President of the United States will subsequently visit the European Commission and then have a working dinner with the EU troika.

The meeting between European leaders and President Bush offers an opportunity to give new impetus to a transatlantic relationship based on a balanced partnership and focused on the pursuit of common goals. It should enable a series of topics to be raised: EU/United States relations and European integration, the Middle East, Iraq, Iran, the wider Middle East and the Mediterranean, Russia, Ukraine, the Balkans, combating terrorism, development and competitiveness.

## UKRAINE

The Council adopted the following conclusions:

- "1. The Council welcomed the appointment of the new Government in Ukraine, and expressed support for its ambitious programme of political and economic reforms. A new commitment to democracy and reforms opens new prospects for Ukraine and for EU-Ukraine relations. The EU acknowledges Ukraine's European aspirations and welcomes Ukraine's European choice.
2. The Council underlined the EU's commitment to support Ukraine at this crucial moment. It looked forward to the final endorsement of the EU-Ukraine Action Plan at the Cooperation Council and for work on its implementation to begin immediately. The Council underlined that the EU is prepared to move quickly ahead with all aspects of the Action Plan. While the pace of progress in the ENP Action Plan will depend on the quality of efforts undertaken by the Ukrainian authorities, the EU is strongly committed to responding in a timely manner on its side. The Council agreed to consider a first review of the implementation of the Action Plan already in the beginning of 2006, provided that significant progress has been made.
3. In order to further strengthen and enrich the Action Plan, the Council agreed on the following measures in support of a democratic and reform-oriented Ukraine:
  - To initiate early consultations on an enhanced agreement between EU and Ukraine, to replace the Partnership and Cooperation Agreement at the end of its initial ten-year period, as soon as the political priorities of the ENP Action Plan have been addressed.
  - To explore possibilities for closer cooperation in the area of foreign and security policy, including European Security and Defence Policy, and to address in particular issues of regional stability and enhanced cooperation in both crisis management and non-proliferation. The EU is ready to intensify cooperation with Ukraine on the settlement process to solve the Transnistrian conflict in Moldova. Ukraine should be invited, on a case by case basis, to align itself with EU positions on regional and international issues.
  - To deepen trade and economic relations between EU and Ukraine. Work on agreements for steel and textile products for 2005 will be intensified. The review of the existing feasibility study on establishing a Free Trade Area between Ukraine and the EU will be accelerated with a view to enable an early start of negotiations once Ukraine has joined the World Trade Organisation (WTO).

- To lend further support to Ukraine's WTO accession and to offer Ukraine continued assistance in meeting the necessary requirements.
- To grant 'Market Economy Status' to Ukraine, as soon as the limited remaining issues have been satisfactorily resolved. The EU will intensify contacts with Ukraine in order to resolve these issues.
- To study, with a view to the negotiations to be held between the EU and Ukraine before the next EU-Ukraine Summit options concerning the question of how, and in what framework, the granting of visas could be facilitated whilst complying rigorously with security requirements. In this context, progress in the ongoing negotiations on an EC-Ukraine readmission agreement will remain essential. The EU will continue to assist Ukraine in implementing the JHA Action Plan and the scoreboard.
- To enhance cooperation in key sectors, including energy, transport, environment and health as well as in private sector development. Preparations will be made for a high-level dialogue on energy and related issues and the environmental dialogue will be upgraded. Ukraine will be treated as a priority country in the ongoing preparations for the extension of Trans-European Networks.
- To step up support to the process of legislative approximation, including technical assistance and twinning to meet EU norms and standards and targeted advice and support legislative approximation through a mechanism such as TAIEX. Further efforts will be made to conclude bilateral agreements on the co-ordination of social security.
- To welcome and increase people-to-people contacts, including in the key areas of youth and education, through measures such as priority access to the Erasmus Mundus programme, reinforced participation in the Tempus programme, support to Ukraine's efforts to work towards convergence in higher education by participating in the Bologna process, considering the possibility of offering internships for young professionals, and continued support to independent media. Efforts in the field of democracy and rule of law will be an immediate imperative and further targeted assistance including support for the strengthening of civil society, is already envisaged.

- To maximise access to funding from the European Investment Bank (EIB). After final endorsement of the ENP Action Plan, up to € 250 million of EIB lending could be made available to Ukraine.
  - To provide increased assistance to Ukraine through the relevant instruments in order to help Ukraine to pursue the reform process.
4. Ukraine should have a result-oriented approach for which the Action Plan is an essential tool. As Ukraine makes genuine progress in carrying out internal reforms and adopting European standards, relations between the EU and Ukraine will become deeper and stronger."

**ACP-EC PARTNERSHIP - REVISION OF THE COTONOU AGREEMENT**

The Council defined the EU's position with a view to the ministerial negotiating meeting on 23 February which was to finalise the revision of the Partnership Agreement with the ACP (African, Caribbean and Pacific) group of countries signed at Cotonou.

The Cotonou Agreement, concluded for a period of 20 years from 1 March 2000, provides for revision every five years. It includes a Financial Protocol setting the overall amount of Community financial assistance for a five-year period beginning on 1 March 2000.

The negotiating directives for revision of the Agreement were adopted by the Council on 27 April 2004. A first ministerial negotiating meeting took place on 3 December 2004. The ACP-EC Council of Ministers decided that negotiations should be concluded by 28 February 2005.

**SUDAN**

The Council adopted the following conclusions:

- "1. Recalling its previous conclusions and declarations on Sudan, the Council welcomes the comprehensive peace agreement signed between the Sudanese government and the Sudan People's Liberation Movement/Army and appeals to the Sudanese government and the National Democratic Alliance to sign the final Cairo agreement as soon as possible. The EU exhorts the parties to commit themselves firmly to full and rapid implementation of these agreements, while opening up the political process to the political forces which were not party to the negotiations.
2. The Council is ready to support the implementation of these agreements both politically and by providing financial and technical assistance. The phased release of funds will depend on progress achieved in implementing the peace agreements and the efforts made by the Sudanese government and the other parties concerned to resolve the conflict in Darfur.
3. The Council is seriously concerned at the violations of the cease-fire, not only in the form of hostile military overflights of Darfur but more especially in the form of continuing attacks on civilians and multiple violations of human rights. The Council notes that discussions on the steps to be taken are under way in the United Nations Security Council. The Council is prepared to support an extension of the arms embargo imposed by Resolution 1556 (2004) and any other measures the Security Council might decide on. The Council remains prepared to consider further appropriate measures against those responsible for violations, from whatever side in the conflict, depending on how the situation develops, including the possibility of targeted sanctions.
4. The Council welcomes the report, and especially the recommendations, of the International Commission of Inquiry on Darfur. The Council is concerned at the results of the inquiry and the fact that attacks are continuing. The Council resolutely condemns these crimes and stresses the importance of putting an immediate end to impunity in Darfur. The Commission of Inquiry recommends that those responsible should answer for their acts before the International Criminal Court. In this context the Council reaffirms the EU's constant support for the International Criminal Court and reiterates its common position on the International Criminal Court, while noting that it is for the United Nations Security Council to take a rapid decision on this matter.

5. The Council calls on the warring parties in Darfur to observe the N'djamena cease-fire and honour their commitments under the Abuja protocols, among other things by refraining from hostile military overflights of Darfur, and to commit themselves wholeheartedly to efforts to resolve the conflict peacefully.
  
6. The Council reiterates its political, material and financial support for the African Union, including the provision of personnel, in its efforts to stabilise the situation in Darfur and to promote a negotiated solution. The Council is ready to examine with the AU possible ways of boosting its contribution, taking into account the context of the future United Nations peace-keeping mission to Sudan and the experience recently acquired in EU-AU cooperation."

**MISCELLANEOUS**

- **United States-Russia summit meeting:** the Slovak delegation briefed the Council about the meeting between Mr Bush and Mr Putin in Bratislava on 24 and 25 February.
- **Belarus:** at the request of the Lithuanian delegation, the Council briefly discussed activities to support civil society and democratisation, following on from the Council conclusions of 22 November 2004.
- **African Great Lakes:** the Council heard a report from the Belgian Minister on his most recent visit to the Democratic Republic of Congo (Kinshasa, Goma and Bunia). The Minister stressed, inter alia, the importance of finding a solution for funding the training of a unified army.
- **United Nations:** the Council took note of the candidature of Baroness Amos (United Kingdom) for the post of administrator of the United Nations Development Programme, to replace Mr Mark Malloch-Brown, who has been appointed Chef de Cabinet of the Secretary-General of the United Nations.
- **Mercosur:** at the request of the Spanish delegation, which stressed the importance of strategic relations with that region, and on the basis of information supplied by the Commission, the Council had an exchange of views on developments in the negotiations for an Association Agreement between the EU and Mercosur, with a view to the high-level meeting in April 2005.

**OTHER ITEMS ADOPTED**

*Please refer to the General Affairs Press Release: 6419/05 Presse 33.*

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