



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 25 April 2013**

**10491/1/09  
REV 1 EXT 2**

**POLGEN 96  
COPS 310  
COHOM 125  
COTER 59  
CONOP 30  
CODUN 14  
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COTRA 15  
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COLAT 19  
ACP 136  
FISC 78  
MIGR 71**

**PARTIAL DECLASSIFICATION**

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Subject:	Common approach on the use of political clauses

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Delegations will find attached the partially declassified version of the above-mentioned document.



ANNEX

**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 2 June 2009**

**10491/1/09  
REV 1 EXT 2 (25.04.2013)**

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**"I" ITEM NOTE**

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From : General Secretariat of the Council  
To : COREPER  
Subject : Common approach on the use of political clauses

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1. COREPER at its meeting on 18 December 2008 had a first exchange of views on the inclusion of political clauses in agreements with third states<sup>1</sup> and agreed to further examine the use of political clauses.

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<sup>1</sup> The discussion took place on the basis of a Note from Presidency to Delegations: "Clauses de nature politique dans les accords conclus avec les pays tiers" (doc. 17370/08 of 16 December 2008).

2. On request of COREPER, the Commission and the General Secretariat of the Council presented a joint "Reflection paper on Political Clauses in agreements with third countries"<sup>2</sup> taking into account the discussion in COREPER as well as comments by Member States.
3. On the basis of this paper the Antici Group continued discussions at its meeting on 3 March 2009.
4. As a result of these discussions as well as on the basis of further comments by Member States Presidency prepared a document on the use of political clauses that was discussed in the Antici Group at its meetings on 24 April and 19 May 2009.
5. The Antici Group agreed on a common approach on the use of political clauses as set out in the Annex.
6. COREPER is invited:
  - to confirm agreement on the common approach as set out in the ANNEX.

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<sup>2</sup> Note from the Commission and the General Secretariat of the Council to Delegations: "Reflection paper on Political Clauses in agreements with third countries" (doc. 7008/09 of 27 February 2009 + COR 1 of 29 May 2009).

**COMMON APPROACH ON THE USE OF POLITICAL CLAUSES<sup>3</sup>**

1. The inclusion of political clauses in agreements with third countries aims at promoting the EU's values and political principles which constitute the basis for its external relations as well as at promoting the EU's security interests. Moreover, political clauses constitute a specific tool which the EU can use to implement some of its most important external policy objectives, e.g. respect for human rights, democracy and the rule of law and non-proliferation.

2. The EU's approach towards the inclusion of political clauses in agreements with third states aims at:

- asserting the EU's fundamental values and political principles;
- enhancing the effectiveness of the EU policies of which the clauses constitute a tool;
- ensuring coherence vis-à-vis third countries;
- strengthening the EU's negotiating stance<sup>4</sup>.

**NOT DECLASSIFIED FROM THIS POINT UNTIL THE END OF THE DOCUMENT**

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<sup>3</sup> The role of the COREPER set out in the Common approach should, where appropriate, be also applied to other clauses standardly used in other areas (e.g. migration / re-admission, good governance in the tax area).

<sup>4</sup> For the state-of-play in negotiations with third countries see "Reflection paper on Political Clauses in agreements with third countries" (doc. 7008/09 of 27 February 2009 + COR 1 of 29 May 2009).