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**COUNCIL OF
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Foreign Affairs

Brussels, 22 November 2010

President

Catherine Ashton

High Representative of the Union for Foreign Affairs and
Security Policy

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Main results of the Council

*Ministers had a broad discussion over lunch on the **Middle East**, focusing in particular on the efforts to encourage **Israel** and the **Palestinians** to restart direct talks and on the situation in Gaza. They also discussed recent developments in **Lebanon** and **Iraq** and adopted conclusions on both countries. The High Representative updated ministers on the efforts to start dialogue with **Iran** on the nuclear issue.*

*The Council discussed **Sudan** ahead of the referenda on self-determination for South Sudan and on the status of Abyei and in the light of the recent escalation of violence in Darfur. It adopted conclusions on the EU's role in the efforts to ensure a peaceful transition. The EU is deploying an Election Observation Mission to monitor the referenda. The High Representative announced that she was setting up a Task Force on Sudan headed by EU Special Representative Dame Rosalind Marsden.*

*The Council discussed the preparations for the forthcoming **EU summits** with **Africa**, **Russia** and **India** and for the **OSCE summit** and the EU's relations with its strategic partners, on the basis of information from the High Representative.*

*Following the recent elections in **Burma/Myanmar** and the release of pro-democracy leader **Aung San Suu Kyi**, the Council took stock of the new political situation and discussed the EU's future policy options towards Burma/Myanmar.*

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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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Mr Andris PIEBALGS

Member

ITEMS DEBATED**MIDDLE EAST**

Ministers held a broad discussion over lunch on the situation in the Middle East, focusing in particular on the efforts to restart the direct peace talks between Israel and the Palestinians, and on the situation in Lebanon.

Middle East Peace Process

Ministers exchanged views on the latest developments concerning the Middle East Peace Process and underlined the EU's continued support for the efforts of the United States to restart the direct negotiations, following a briefing by High Representative Catherine Ashton, after the EU-US summit. They voiced their concern at the current lack of progress and the on-going settlement activities, particularly in East Jerusalem. The High Representative pointed to the Council's December 2009 conclusions and recalled that settlements are illegal under international law, are an obstacle to peace and threaten to make a two-state solution impossible. She emphasized that the EU would continue to work with the International Quartet towards the successful outcome of the negotiations if they were resumed.

Ministers also expressed their ongoing concern at the situation in Gaza, calling for the Gaza crossings to be opened and, in particular, for exports to be allowed out of Gaza.

Lebanon

Ministers discussed the recent developments in Lebanon over lunch and the Council adopted the following conclusions expressing full support to the Government of National Unity led by Prime Minister Saad Hariri and full support for the Special Tribunal for Lebanon:

- "1. The Council reaffirms its full support to the Government of National Unity led by PM Hariri, established in the wake of democratic elections. Concerned by the situation in Lebanon, it calls on parties to further engage in dialogue in the spirit of consensus and to respect the rule of law. The Council supports the Lebanese institutions, the full implementation of the Doha Agreement and of the principles enshrined in the Lebanese Constitution and the Taif accord.
2. The Council also reaffirms the full support of the European Union for the Special Tribunal for Lebanon (STL) as an independent court, created by UNSCR 1757 and following the highest judicial standards, as unequivocally reaffirmed in a recent statement by the UN Secretary-General. The Council expresses its concern at intimidations and condemns attempts to hinder the work of the STL.
3. The Council is convinced that achieving international justice on the killing of Rafik Hariri and others, and preserving stability in Lebanon are mutually reinforcing. It calls on all parties to fully cooperate with the Tribunal in order to put an end to impunity and bring stability to the country. It recalls legal obligations stemming from UNSCR 1757. The Council further calls upon all parties and actors, both in the country and in the region, to play a constructive role, not to interfere in the Tribunal's work and not to prejudge its outcome.
4. The Council remains determined to reinforce Lebanon's sovereignty, independence, territorial integrity, unity and stability. The Council recalls its commitment to the full implementation of all relevant UNSC Resolutions, including 1559, 1680, 1701 and 1757.
5. The Council commends the crucial role of UNIFIL, whose activities alongside the Lebanese army continue to be essential for peace in the region. The Council calls for the implementation of all provisions of UNSC Resolution 1701, for respect of the blue line in its entirety and for the full cooperation with the United Nations and UNIFIL."

IRAQ

Ministers had a brief exchange of views on the political situation and recent developments in Iraq and the Council adopted the following conclusions:

"The EU welcomes the agreement on the appointment of the Iraqi President, Prime Minister and Speaker with deputies on 11 November 2010. These encouraging first steps towards the formation of an inclusive new Government in Iraq following the elections on 7 March mark an important moment in the country's ongoing democratic process.

The EU underlines the urgent need for a stable and representative government, which is able to rededicate itself to the pursuit of national reconciliation. Such a government will be vital to lead the country in dealing with all the challenges ahead, including tackling continuing violence in Iraq, responding to the aspirations of all Iraqis - regardless of creed or ethnicity - and respecting, protecting and promoting human rights, including those of persons belonging to minorities. The EU strongly encourages all political actors to participate constructively in the negotiations to form swiftly a new government. The EU looks forward to engaging with this new government as soon as it is in place.

The EU also wishes to express its deep concern and outright condemnation of the recent terrorist attacks in Iraq in which scores of innocent civilians lost their lives and hundreds were wounded. The attacks deliberately targeted locations where civilians congregate, including Christian and Muslim places of worship. The EU condemns all incitement to and acts of violence including those motivated by religious and ethnic hatred. The EU expresses confidence that the people of Iraq will remain steadfast in their continued rejection of efforts by extremists to spark sectarian tension."

IRAN

The High Representative updated ministers on the efforts to arrange a meeting with the Iranian nuclear negotiator, Dr Saeed Jalili, in early December in order to begin a process of dialogue on the nuclear issue.

SUDAN

The Council discussed the challenge posed by Sudan ahead of the referenda in January on self-determination for Southern Sudan and on the status of Abyei. It called for full compliance with the Comprehensive Peace Agreement commitments and stressed the need to prepare for a peaceful transition in the period after the referenda. The EU is deploying an Election Observation Mission to monitor the referenda and already has monitors on the ground. The Council also stated its continued support for the Darfur peace process. The High Representative announced that she was setting up a Sudan Task Force, headed by Dame Rosalind Marsden, the EU Special Representative for Sudan. Ministers recalled that four EU nationals had been kidnapped in Darfur and the High Representative stressed that every effort was being made to secure their release.

The Council adopted the following conclusions:

- "1. Recalling its Conclusions of 26 July 2010 and in line with the UNSC Presidential Statement following the Ministerial meeting of 16 November, the Council recognizes the critical importance of the forthcoming weeks in Sudan ahead of the referenda on self-determination for Southern Sudan and on the status of Abyei. The Council recalls that full and timely implementation of the CPA is crucial for lasting peace and security and that urgent and concerted action is required to achieve this. It reaffirms its support to UNMIS in the fulfilment of its mandate.
2. The Council commends the AUHIP under the leadership of President Mbeki. It welcomes the ongoing registration and the progress achieved on the conclusion of a framework agreement between the parties on outstanding CPA- and post-referendum arrangements, and underlines the need for sustained and focused efforts. The EU commits to working intensively during the vital weeks ahead in support to the negotiation process, and to the AU and UN efforts. As a signal of its support to CPA implementation and in order to build confidence in the referendum process, the EU is deploying an Electoral Observation Mission, including for the registration period. In this regard, it reiterates the need for peaceful and credible referenda, whose outcomes reflect the will of the people and are respected by all. The Council calls on all parties to refrain from unilateral action while emphasising the obligation of both parties to cooperate on CPA-implementation.

3. The Council remains committed to peace and development in the whole of Sudan. Hence, the EU will strengthen its engagement in dialogue with all Sudanese stakeholders to that end, irrespective of the outcome of the referenda. It stands ready to continue to contribute actively, in close coordination with other partners, to address the challenges of capacity building in Southern Sudan and the Three Areas (Southern Kordofan, Blue Nile, Abyei). The Council also agrees that the situation of Eastern Sudan needs special attention and welcomes in this regard the International Donor Conference in Kuwait, 1-2 December 2010.
4. The Council recognizes the significance of debt in relation to Sudanese economic development. In this respect, it welcomes technical preparations for potential debt relief for Sudan under the auspices of the World Bank, as suggested at the Sudan High Level Round Table Meeting in Washington on 9 October 2010. The Council notes that fulfilment of commitments under the CPA and on Darfur would positively affect this process.
5. The Council recalls that peace in Sudan will never be complete without a lasting settlement of the situation in Darfur. Therefore, it remains committed to finding a political solution to the problems in Darfur. It commends the mediation efforts of the joint UN-AU mediator Bassolé and the Government of Qatar. The Council calls upon all parties to refrain from violence, honour previous cease fire agreements and to reach urgently and without preconditions a comprehensive and inclusive agreement. Such an agreement should address the causes and consequences of the conflict, end impunity and ensure the protection of the civilian populations and the promotion of human rights, justice and reconciliation, with adequate participation of women and civil society. The Council calls on the Government of Sudan to fully respect humanitarian principles, including humanitarian access, when implementing its new Darfur Strategy.
6. The Council is also concerned by the continued poor security situation in Darfur, its impact on the civilian population and humanitarian workers. It is essential that UNAMID is able to perform its core protection mandate without hindrance, including freedom of movement. Kidnapping and intimidation of humanitarian workers and peacekeepers is unacceptable, and the Council expects the Government of Sudan to bring perpetrators to justice.
7. The Council calls upon the Sudanese authorities to respect international human rights and international humanitarian law. It expresses its concern about the arrest of journalists and human rights defenders and calls on the Sudanese Government to act in accordance with International Law.
8. The Council recalls the obligation of the Government of Sudan to cooperate with the International Criminal Court pursuant to UNSC Resolution 1593.
9. The Council welcomes the High Representative's intention to establish a Sudan Task Force chaired by the EUSR, and agrees to revert to Sudan at its next meeting in December 2010."

PREPARATIONS FOR FORTHCOMING SUMMITS AND RELATIONS WITH STRATEGIC PARTNERS

The Council discussed the preparations for the forthcoming EU summits with Africa (29-30 November, Tripoli), Russia (7 December, Brussels) and India (10 December, Brussels) and for the OSCE summit (1-2 December, Astana). The discussion was linked to an exchange of views on the EU's relations with its strategic partners, in particular the US, Russia and China, on the basis of information from the High Representative on the progress report which is being prepared and will be presented in December.

BURMA/MYANMAR

The Council discussed the situation in Burma/Myanmar following the elections of 7 November and the release of pro-democracy leader Aung San Suu Kyi on 13 November. It discussed the political repercussions and the EU's future policy options towards Burma/Myanmar, stressing the need for caution in assessing the possibilities for engagement and calling for all the remaining political detainees to be released without delay.

OTHER BUSINESS

Belarus

The Council was briefed by the Polish foreign minister on his visit to Minsk with the German foreign minister on 2 November 2010. The Lithuanian foreign minister reported on the recent visit by the Lithuanian President.

OTHER ITEMS APPROVED**EXTERNAL RELATIONS****Restrictive measures against persons linked to Al-Qaeda and the Taliban**

The Council approved the lodging of an appeal against the EU General Court's judgement in case T-85/09, Kadi II. The judgement determined that the Union judiciary should carry out a full and rigorous review of Union acts implementing the UN Consolidated List of individuals and entities subject to sanctions due to their association with Al-Qaeda and the Taliban.

EU-Chile association agreement - Bulgaria and Romania - EU enlargement

The Council adopted a decision authorising the conclusion of a second additional protocol to the EU-Chile association agreement to take account of the accession of Bulgaria and Romania to the EU in 2007 (12550/2/07).
