



**COUNCIL OF
THE EUROPEAN UNION**



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General Affairs

Luxembourg, 25 October 2010

President

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Main results of the Council

*The Council decided to refer **Serbia's application for membership** of the EU to the Commission for an opinion. In doing so, it set out precise conditions as regards cooperation by Serbia with the International Criminal Tribunal for the former Yugoslavia.*

*The Council approved draft financial and staff regulations applicable to the **European External Action Service**, the last two legal acts necessary for making the EEAS operational.*

It also prepared the European Council meeting of 28 and 29 October.

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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>).
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Member

Other participants

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High Representative of the Union for Foreign Affairs and
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ITEMS DEBATED**FOLLOW-UP TO THE SEPTEMBER EUROPEAN COUNCIL**

The Council took note of an information note from the presidency, setting out its intentions regarding the follow-up to be given to the European Council's meeting on 16 September (*doc.* [14389/10](#)).

PREPARATION OF THE OCTOBER EUROPEAN COUNCIL

The Council examined draft conclusions for the European Council meeting to be held in Brussels on 28 and 29 October.

The European Council is to focus on:

- Task force on economic governance. Final report¹ from the task force set up in March;
- G-20. Establishment of an EU position for the G-20 summit in Seoul on 11-12 November;
- Climate change. Preparations for the UN conference to be held in Cancun from 29 November to 10 December;
- Forthcoming summits with the EU's strategic partners, including the United States.

An annotated draft agenda was discussed by the Council at its meeting on 13 September (*doc. [13101/10](#)*). The draft conclusions will be reviewed in the light of the Council's discussion.

¹ Report: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/ec/117236.pdf
Factsheet: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/ec/117253.pdf

ENLARGEMENT - SERBIA

The Council adopted the following conclusions :

- "1. On 22 December 2009, President Mr Boris Tadic presented the application of the Republic of Serbia for membership of the European Union. The Council decided to implement the procedure laid down in Article 49 of the Treaty on the European Union. Accordingly, the Commission is invited to submit its opinion.
2. Recalling the renewed consensus on enlargement as expressed in the conclusions of the European Council of 14/15 December 2006, the Council reaffirms that the future of the Western Balkans lies in the European Union. It reiterates that each country's progress towards the European Union depends on its individual efforts to comply with the Copenhagen criteria and the conditionality of the Stabilisation and Association Process.
3. The Council reiterates that a constructive approach towards regional cooperation is essential. The Council also calls for progress in the process of dialogue between Belgrade and Pristina, under the facilitation of the EU and its High Representative for Foreign Affairs and Security Policy, welcomed in the United Nations General Assembly resolution of 9 September 2010 as a factor for peace, security and stability in the region.
4. The Council recalls that Serbia's full cooperation with ICTY is already required by the Stabilisation and Association Agreement, as well as by the Interim Agreement. In line with the political criteria of Copenhagen full cooperation with ICTY is an essential condition for membership of the EU. In the context of Serbia's application for membership of the European Union on 22 December 2009, the EU underlines that at each stage of Serbia's path towards EU accession, following the decision referred to in paragraph 1, further steps will be taken when the Council unanimously decides that full co-operation with the ICTY exists or continues to exist. In this context, the Council will closely monitor the progress reports by the Office of the Prosecutor. The EU and its Member States recall their readiness to assist Serbia in this respect.
5. The Council calls upon Serbia to implement recommendations presented by the ICTY Office of the Prosecutor to the United Nations Security Council in June 2010 concerning Serbia's support in ongoing trials and appeals and Serbia's assistance in the key matter of the arrest of the two remaining fugitives, Ratko Mladic and Goran Hadzic, which would be the most convincing proof of Serbia's efforts and cooperation with the ICTY."

EUROPEAN EXTERNAL ACTION SERVICE

The Council approved draft financial and staff regulations applicable to the European External Action Service, as agreed with the European Parliament at a meeting on 14 October and approved by the Parliament on 20 October.

It will adopt the two regulations without further discussion at a forthcoming Council session, once the texts have been finalised.

The two texts are the last of the legal acts necessary for making operational the European External Action Service, one of the most significant changes introduced by the Treaty of Lisbon, which entered into force last December.

High Representative Catherine Ashton announced the appointment of Pierre Vimont as Executive Secretary-General and David O'Sullivan as Chief Operating Officer of the EEAS. ([announcement](#))

Aimed at making the EU's external action more coherent and efficient, the EEAS will assist the High Representative in fulfilling her mandate. It will work in cooperation with the diplomatic services of the member states and comprise officials from relevant departments of the General Secretariat of the Council and of the Commission, as well as staff seconded from the national diplomatic services of the member states.

OTHER ITEMS APPROVED**BUDGETS****EU budget for 2011**

The Council decided not to approve all amendments to its position on the draft budget for 2011 voted by the European Parliament.

In accordance with Article 314 of the Treaty on the Functioning of the EU, a conciliation committee will now be convened in order to agree on a joint text within 21 days.

Support for ACP banana-exporting countries

The Council decided not to approve all amendments to its position on the financing of so-called banana accompanying measures voted by the European Parliament.

In accordance with Article 314 of the Treaty on the Functioning of the EU, a conciliation committee will now be convened in order to agree on a joint text within 21 days.

In adopting its position on draft amending budget no.3 for 2010, the Council accepted funding of EUR 56.7 million for the accompanying measures to help ACP banana-exporting countries affected by liberalisation measures in the framework of the World Trade Organisation. In the view of the Council, this amount should be secured by redeployments within heading 4 of the EU budget (EU as a global player) and from the margin of the same heading. Concerning further funding of EUR 18.3 million for ACP banana-supplier countries, the Council asked the Commission to propose as soon as possible additional redeployments within heading 4.

TRADE POLICY

Anti-dumping measures - Sodium gluconate - Aluminium wheels - China

The Council adopted regulations imposing a definitive anti-dumping duty and collecting the provisional duty imposed on imports of:

- sodium gluconate originating in China (*doc.* [14430/10](#)); and
- certain aluminium road wheels originating in China (*doc.* [14336/10](#)).

Suspension of tariff duties on imports into Madeira and the Azores*

The Council adopted a regulation temporarily suspending tariff duties on imports of certain industrial products into the autonomous regions of Madeira and the Azores (*docs.* [14912/10](#) + [14482/10](#)).

GENERAL AFFAIRS

Status of the island of Saint-Barthélemy

The Council approved a draft decision to be forwarded to the European Council with a view to amending the status of the island of Saint-Barthélemy, from that of an outermost region to that of an associated overseas territory (*doc.* [15224/10](#)).

OLAF supervisory committee

The Council approved a proposal from the Commission to re-appoint the current members of the supervisory committee of the European Anti-Fraud Office (OLAF) for a second term, expiring on 30 November 2011.

The members of the committee are: Mr Kálmán Györgyi, Mr Luis López Sans-Aranguez, Mr Peter Strömberg, Ms Diemut R. Theato and Ms Rosalind Wright.

EU civil service - *Council conclusions**

The Council adopted the conclusions set out in document [14699/10](#).

ENERGY

Cooperation with South Africa on peaceful uses of atomic energy

The Council adopted a decision authorising the Commission to enter into negotiations for an agreement between the European Atomic Energy Community (Euratom) and South Africa on cooperation in the peaceful uses of atomic energy.

ENVIRONMENT

End-of-life vehicles

The Council opposed the adoption by the Commission of a draft directive introducing technical adaptations to annex II to directive 2000/53/EC on end-of-life vehicles

The Council supports the substance of the draft Commission directive. However, a qualified majority of delegations opposed its adoption on the grounds that, by requiring member states to draw up correlation tables, the Commission exceeds the implementing powers provided for in the basic act (directive 2000/53/EC).

Under the regulatory procedure with scrutiny, the Council may oppose the adoption of new measures on the grounds that they exceed the implementing powers provided for in the basic act, are not compatible with the aim or the content of the basic act or do not comply with the principles of subsidiarity or proportionality.

HEALTH**WHO framework convention on tobacco control**

The Council approved the position to be taken by the EU at the fourth session of the conference of the parties to the framework convention on tobacco control of the World Health Organisation with regard to guidelines for implementing articles 9 and 10 of the convention.

Article 9 of the convention concerns the contents of tobacco products and article 10 tobacco product disclosures. The guidelines consist of non-binding recommendations which may be used by the parties when implementing the associated articles of the convention. The fourth session of the conference of the parties will be held in Punta del Este, Uruguay, on 15-20 November.

Text of the FCTC: <http://whqlibdoc.who.int/publications/2003/9241591013.pdf>
