

**EUROPEAN COUNCIL
SEVILLE**

**CONCLUSIONS
OF THE PRESIDENCY**

21 and 22 June 2002

ANNEXES

ANNEX I**RULES FOR ORGANISING THE PROCEEDINGS
OF THE EUROPEAN COUNCIL**

In order fully to exercise its role of providing impetus and of defining the general political guidelines of the Union in accordance with Article 4 of the Treaty on European Union, the European Council has agreed on the following rules for the preparation, conduct and conclusions of its proceedings:

Preparation

1. The European Council shall meet in principle four times a year (twice every six months). In exceptional circumstances, the European Council may convene an extraordinary meeting.
2. European Council meetings shall be prepared by the General Affairs and External Relations Council, which shall coordinate all the preparatory work and draw up the agenda. Contributions by other configurations of the Council to the proceedings of the European Council shall be forwarded to the General Affairs and External Relations Council not later than two weeks before the European Council meeting.
3. At a meeting held at least four weeks before the European Council, the General Affairs and External Relations Council, acting on a Presidency proposal, shall draw up an annotated draft agenda distinguishing between:
 - items to be approved or endorsed without debate;
 - items for discussion with a view to defining general political guidelines;
 - items for discussion with a view to adopting a decision as described in paragraph 9 below;
 - items for discussion but not intended to be the subject of conclusions.
4. For each of the items referred to in the second and third indents of paragraph 3 above, the Presidency shall prepare a brief outline paper setting out the issues, the questions to be debated and the main options available.
5. On the eve of the European Council meeting, the General Affairs and External Relations Council shall hold a final preparatory session and adopt the definitive agenda, to which no item may subsequently be added without the agreement of all delegations.

Except for urgent and unforeseeable reasons linked, for example, to current international events, no Council or committee may meet between the final preparatory session of the General Affairs and External Relations Council and the European Council meeting.

Conduct

6. In principle, the proceedings of the European Council shall last for one full day, preceded the day before by a meeting restricted to Heads of State or Government and the President of the Commission, in line with current practice. The European Council meeting the next day shall continue until the end of the afternoon and shall be preceded by an exchange of views

with the President of the European Parliament. Specific arrangements may be made if justified by the agenda.

7. Meetings in the margins of the European Council with representatives of third States or organisations may be held in exceptional circumstances only. They must not disrupt the normal conduct of proceedings of the European Council meeting and they must be approved at the same time as the draft agenda drawn up by the General Affairs and External Relations Council.
8. The Presidency shall ensure that business is conducted smoothly. To this end, it may take any measure conducive to promoting the best possible use of the time available, such as organising the order in which items are discussed, limiting speaking time and determining the order in which contributors speak.
9. In the context of enlargement and in exceptional cases, where an item is placed on the agenda of the European Council for a decision, the European Council shall discuss the item concerned. The political conclusions drawn from the positions emerging during the discussion shall be brought to the attention of the Council so that it may consider the implications for subsequent proceedings, in accordance with the applicable Treaty provisions.
10. Delegations shall receive summary briefings on the outcome and substance of the discussions on each item as proceedings continue. Such briefings shall be organised in such a way as to safeguard the confidentiality of discussions.
11. Each delegation shall have two seats in the meeting room. The total size of delegations shall be limited to 20 people per Member State and for the Commission. This number shall not include technical personnel assigned to specific security or logistic support tasks.

Conclusions

12. The conclusions, which shall be as concise as possible, shall set out policy guidelines and decisions reached by the European Council, placing them briefly in their context and indicating the stages of the procedure to follow on from them.
13. An outline of the conclusions shall be distributed on the day of the European Council meeting in good time for the start of proceedings. The outline shall distinguish clearly between those parts of the text which have previously been approved and which are not in principle subject to discussion and those parts of the text which the European Council is to discuss with a view to reaching final conclusions at the meeting.

ANNEX II**MEASURES CONCERNING THE STRUCTURE
AND FUNCTIONING OF THE COUNCIL**

1. With a view to improving the functioning of the Council in the run-up to enlargement, the European Council has adopted the following conclusions, which will be reflected to the extent necessary by the relevant amendments to the Council's Rules of Procedure, to be made by 31 July 2002.

A. Creation of a new General Affairs and External Relations Council

2. The current General Affairs Council configuration shall from now on be called the "General Affairs and External Relations Council". In order best to organise proceedings with regard to the two main areas of activity covered by this configuration, it will hold separate meetings (with separate agendas and possibly on different dates and) dealing, respectively, with:
 - (a) preparation for and follow-up to the European Council (including the coordinating activities necessary to that end), institutional and administrative questions, horizontal dossiers which affect several of the Union's policies and any dossier entrusted to it by the European Council, having regard to EMU operating rules;
 - (b) the whole of the Union's external action, namely common foreign and security policy, European security and defence policy, foreign trade, development cooperation and humanitarian aid.

B. List of Council configurations ¹

3. The following list of Council configurations shall be included in the Annex to the Council's Rules of Procedure:
 1. General Affairs and External Relations ²;
 2. Economic and Financial Affairs ³;
 3. Justice and Home Affairs ⁴;
 4. Employment, Social Policy, Health and Consumer Affairs;
 5. Competitiveness (Internal Market, Industry and Research) ⁵;
 6. Transport, Telecommunications and Energy;
 7. Agriculture and Fisheries;
 8. Environment;
 9. Education, Youth and Culture ⁶.

¹ The new arrangements regarding Council configurations will be applied by the Danish Presidency having regard to the constraints which may arise from the timetable of meetings already established.

² Including ESDP and development cooperation.

³ Including the budget.

⁴ Including civil protection.

⁵ Including tourism.

⁶ Including audiovisual affairs.

It is agreed that several Ministers would be able to participate as full members of the same Council configuration, with the agenda and the organisation of proceedings being adjusted accordingly.

In the case of the General Affairs and External Relations Council, each government shall be represented at the different meetings of this new configuration by the Minister or State Secretary of his choice.

C. Programming of Council activities

4. In keeping with the role conferred upon it by the Treaty of defining the general political guidelines of the Union, the European Council shall adopt, on the basis of a joint proposal drawn up by the Presidencies concerned in consultation with the Commission and acting on a recommendation by the General Affairs Council, **a multiannual strategic programme** for the three years to come. The first such strategic programme will be adopted in December 2003.

5. In the light of the multiannual strategic programme referred to above, an **annual operating programme of Council activities** shall be submitted to the General Affairs Council in December each year. This programme shall be proposed jointly by the next two Presidencies in line and shall have regard, inter alia, to relevant points arising from the dialogue on the political priorities for the year, conducted at the Commission's initiative. The final version of the annual programme shall be drawn up on the basis of the General Affairs Council's discussions.

With a view to implementing these arrangements as quickly as possible and by way of derogation from the first subparagraph, the first annual operating programme of Council activities shall be drawn up in December 2002.

6. This programme shall be accompanied by a list of indicative agendas for the various Council configurations for the first six months of the year. The list of indicative agendas for the second six months shall be submitted by the Presidency concerned before 1 July, following the appropriate consultations, in particular with the following Presidency.

D. Measures relating to the Presidency

Cooperation between Presidencies

7. Where it is clear that a dossier will essentially be dealt with during the following six-month period, the representative of the Member State holding the Presidency during that six-month period may, during the current six-month period, chair meetings of committees (other than Coreper) and working parties at which the dossier is discussed. The practical implementation of this provision shall be the subject of an agreement between the two Presidencies concerned.

Thus, in the specific case of the examination of the budget for a given financial year, meetings of Council preparatory bodies other than Coreper shall be chaired by a representative of the Member State holding the Presidency during the second six-month period of the year prior to the financial year in question. The same arrangement shall apply, with the agreement of the other Presidency, to the chairing of Council meetings at the time when the items in question are discussed.

8. For the preparation of meetings of Council configurations meeting once every six months, where such meetings are held during the first half of the six-month period, meetings of committees other than Coreper and working party meetings taking place during the previous six-month period shall be chaired by a delegate of the Member State which will chair the Council meetings in question.

Chairing of certain working parties by the General Secretariat of the Council

9. In addition to cases where the General Secretariat of the Council already acts as chairman, the following working parties shall be chaired by a member of the General Secretariat of the Council:
 - Working Party on Electronic Communications;
 - Working Party on Legal Information;
 - Working Party on Codification of Legislation;
 - Working Party on Information;
 - Working Party on New Buildings.

E. Opening Council meetings to the public when the Council is acting in accordance with the procedure for codecision with the European Parliament

10. Council debates on acts adopted in accordance with the procedure for codecision with the European Parliament shall be open to the public under the following circumstances:
 - during the initial stage of the procedure: opening to the public of the presentation by the Commission of its main codecision legislative proposals and the ensuing debate. The list of proposals concerned shall be drawn up by the Council at the beginning of each six-month period;
 - during the final stage of the procedure: opening to the public of the vote and explanations of voting.
11. The debates shall be made public by providing the public with a room to which the deliberations of the Council will be transmitted live, including the indication by visual means of the outcome of the vote. The public will be informed in advance by the appropriate means (for example, on the Council's Internet site) of the days and times at which such transmissions will take place.

F. Conducting meetings

12. The Presidency shall ensure that meetings proceed smoothly. It shall be the Presidency's responsibility to take any measure required to achieve the best possible use of the time available during meetings, including:
- limiting the time for which contributors may speak;
 - determining the order in which contributors speak;
 - asking delegations to present their proposals for amendment of the text under discussion in writing before a given date, together with a brief explanation if appropriate;
 - asking delegations which have an identical or close position on any particular item to choose one of them to express their joint position at the meeting or in writing before the meeting.
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ANNEX III**NATIONAL DECLARATION BY IRELAND**

1. Ireland reaffirms its attachment to the aims and principles of Charter of the United Nations, which confers primary responsibility for the maintenance of international peace and security upon the United Nations Security Council.
2. Ireland recalls its commitment to the common foreign and security policy of the European Union as set out in the Treaty on European Union, adopted at Maastricht, amended at Amsterdam and approved on each occasion by the Irish people through referendum.
3. Ireland confirms that its participation in the European Union's common foreign and security policy does not prejudice its traditional policy of military neutrality. The Treaty on European Union makes clear that the Union's security and defence policy shall not prejudice the specific character of the security and defence policy of certain Member States.
4. In line with its traditional policy of military neutrality, Ireland is not bound by any mutual defence commitment. Nor is Ireland party to any plans to develop a European army. Indeed, the Nice European Council recognised that the development of the Union's capacity to conduct humanitarian and crisis management tasks does not involve the establishment of a European army.
5. The Treaty on European Union specifies that any decision by the Union to move to a common defence would have to be taken by unanimous decision of the Member States and adopted in accordance with their respective constitutional requirements. The Government of Ireland have made a firm commitment to the people of Ireland, solemnized in this Declaration, that a referendum will be held in Ireland on the adoption of any such decision and on any future treaty which would involve Ireland departing from its traditional policy of military neutrality.
6. Ireland reiterates that the participation of contingents of the Irish Defence Forces in overseas operations, including those carried out under the European security and defence policy, requires (a) the authorisation of the operation by the Security Council or the General Assembly of the United Nations, (b) the agreement of the Irish Government and (c) the approval of Dáil Éireann, in accordance with Irish law.
7. The situation set out in this Declaration would be unaffected by the entry into force of the Treaty of Nice. In the event of Ireland's ratification of the Treaty of Nice, this Declaration will be associated with Ireland's instrument of ratification.

ANNEX IV**DECLARATION OF THE EUROPEAN COUNCIL**

1. The European Council takes cognisance of the National Declaration of Ireland presented at its meeting in Seville on 21-22 June 2002. It notes that Ireland intends to associate its National Declaration with its act of ratification of the Treaty of Nice, should the people of Ireland in a referendum decide to accept the Treaty of Nice.
2. The European Council notes that the Treaty on European Union provides that any decision to move to a common defence shall be adopted in accordance with the respective constitutional requirements of the Member States
3. The European Council recalls that under the terms of the Treaty on European Union the policy of the Union shall not prejudice the specific character of the security and defence policy of certain Member States. Ireland has drawn attention, in this regard, to its traditional policy of military neutrality.
4. The European Council acknowledges that the Treaty on European Union does not impose any binding mutual defence commitments. Nor does the development of the Union's capacity to conduct humanitarian and crisis management tasks involve the establishment of a European army.
5. The European Council confirms that the situation referred to in paragraphs 2, 3 and 4 above would be unchanged by the entry into force of the Treaty of Nice.
6. The European Council recognises that, like all Member States of the Union, Ireland would retain the right, following the entry into force of the Treaty of Nice, to take its own sovereign decision, in accordance with its Constitution and its laws, on whether to commit military personnel to participate in any operation carried out under the European Security and Defence Policy. Ireland, in its National Declaration, has clearly set out its position in this regard.

ANNEX V**DRAFT DECLARATION OF THE EUROPEAN COUNCIL
ON THE CONTRIBUTION OF CFSP, INCLUDING ESDP,
IN THE FIGHT AGAINST TERRORISM**

1. The European Council reaffirms that terrorism is a real challenge for Europe and the world and poses a threat to our security and our stability. To this end, the extraordinary European Council meeting on 21 September 2001 decided to step up the action of the Union against terrorism through a coordinated and inter-disciplinary approach embracing all Union policies, including by developing the Common Foreign and Security Policy (CFSP) and by making the European Security and Defense Policy (ESDP) operational.
2. The European Council has noted the significant achievements accomplished in the implementation of the Plan of Action to combat terrorism and reiterates that the fight against terrorism will continue to be a priority objective of the European Union and a key plank of its external relations policy. Solidarity and international cooperation constitute essential instruments to fight this scourge. The Union will continue to maintain the closest possible coordination with the United States and other partners. The Union will seek to contribute further to these international efforts, both internally and in its relations with third countries and international organisations, such as the UN, NATO and the OSCE.
3. The Common Foreign and Security Policy, including the European Security and Defence Policy, can play an important role in countering this threat to our security and in promoting peace and stability. Closer cooperation among the Member States is being put into practice to take account of the international situation after the terrorist attacks of September 11.
4. The European Council welcomes the progress achieved since September 11 on incorporating the fight against terrorism into all aspects of the Union's external relations policy. The fight against terrorism requires a global approach to strengthen the international coalition and to prevent and contain regional conflicts. The Union is:
 - strengthening the EU instruments for long-term conflict prevention,
 - focusing political dialogue with third countries on the fight against terrorism as well as on non-proliferation and arms control,
 - providing assistance to third countries in order to reinforce their capacity to respond effectively to the international threat of terrorism,
 - including anti-terrorism clauses in EU agreements with third countries,
 - re-evaluating relations with third countries in the light of their attitude towards terrorism and taking appropriate measures accordingly and

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- implementing specific measures in the fight against terrorism in accordance with United Nations Security Council Resolution 1373, which laid down a wide range of comprehensive steps and strategies to combat terrorism, including financial measures.
5. The European Council also welcomes the progress achieved in the implementation of ESDP, following the Declaration on the operational capability of the European Security and Defence Policy. This progress has allowed the Union to take its first decision to establish a crisis management operation – the European Union Police Mission in Bosnia and Herzegovina (EUPM). The EUPM is one example of the European Union's commitment to stabilise post-conflict regions, and to help establish the rule of law. By promoting stability, including by strengthening local law enforcement capabilities, norms and standards, the European Union helps to deny terrorist organisations the opportunity to take root. As indicated at the Laeken European Council, through the military and civilian capabilities developed by the European Union for crisis management, the CFSP will become stronger and better contribute to the fight against terrorism for the benefit of the populations concerned.
 6. ESDP will strengthen further as Member States enhance their military and civilian capabilities for crisis management. To this end, the European Council underlines again the importance it places on the timely achievement of the Headline Goal targets. In this context, the development of ESDP must take fuller account of the capabilities that may be required, in accordance with the Petersberg tasks and the provisions of the Treaty, to combat terrorism.
 7. Priority action for the European Union, including in the field of CFSP and ESDP, concerning the fight against terrorism should focus on:
 - devoting greater efforts to conflict prevention;
 - deepening political dialogue with third countries to promote the fight against terrorism, including by the promotion of human rights and democracy as well as non-proliferation and arms control, and providing them with appropriate international assistance;
 - strengthening arrangements for sharing intelligence and developing the production of situation assessments and early warning reports, drawing on the widest range of sources;
 - developing our common evaluation of the terrorist threat against the Member States or the forces deployed under ESDP outside the Union in crisis management operations, including the threat posed by terrorist use of weapons of mass destruction;
 - determining military capabilities required to protect forces deployed in European Union-led crisis management operations against terrorist attacks;
 - exploring further how military or civilian capabilities could be used to help protect civilian populations against the effects of terrorist attacks.

8. The European Council requests the Presidency and the Secretary-General/High Representative, and the Commission as appropriate, to step up their efforts in these priority areas by promoting coordinating work within Council bodies and with relevant international organisations, notably the UN and NATO, in order to increase the effectiveness of the contribution of CFSP, including ESDP, in the fight against terrorism, as well as to report to the General Affairs Council on this matter.
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ANNEX VI**DECLARATION ON THE MIDDLE EAST**

The crisis in the Middle East has reached a dramatic turning point. Further escalation will render the situation uncontrollable. The parties on their own cannot find a solution. There is an urgent need for political action by the whole international community. The Quartet has a key role to play in starting a peace process.

The European Council supports the early convening of an international conference. That conference should address political and economic aspects as well as matters relating to security. It should confirm the parameters of the political solution and establish a realistic and well-defined timescale.

The European Council strongly condemns all terrorist attacks against Israeli civilians. The peace process and the stability of the region cannot be hostage to terrorism. The fight against terrorism must go on; but so at the same time must the negotiation of a political solution.

A settlement can be achieved through negotiation, and only through negotiation. The objective is an end to the occupation and the early establishment of a democratic, viable, peaceful and sovereign State of Palestine, on the basis of the 1967 borders, if necessary with minor adjustments agreed by the parties. The end result should be two States living side by side within secure and recognised borders enjoying normal relations with their neighbours. In this context, a fair solution should be found to the complex issue of Jerusalem, and a just, viable and agreed solution to the problem of the Palestinian refugees.

The reform of the Palestinian Authority is essential. The European Council expects the PA to make good its commitment to security reform, early elections and political and administrative reform. The European Union reaffirms its willingness to continue to assist in these reforms.

Military operations in the Occupied Territories must cease. Restrictions on freedom of movement must be lifted. Walls will not bring peace.

The European Union stands ready to contribute fully to peace-building, as well as to the reconstruction of the Palestinian economy as an integral part of regional development.

The European Union will work with the parties and with its partners in the international community, especially with the United States in the framework of the Quartet, to pursue every opportunity for peace and for a decent future for all the people of the region.

ANNEX VII**EU DECLARATION ON INDIA AND PAKISTAN**

The European Council discussed the tensions between India and Pakistan. It welcomed the steps recently taken by Pakistan to begin clamping down on cross-border terrorism and the de-escalatory measures announced by India in response. The European Council noted that the situation nevertheless remains precarious and that the consequences of a war could be catastrophic for the region and beyond.

The European Council therefore called on Pakistan to take further concrete action in accordance with the assurances it has already given and with its international obligations, including UN Security Council Resolution 1373 (2001), to stop infiltration across the Line of Control and to prevent terrorist groups from operating from territory under its control, also through closing of training camps. The European Council called on India and Pakistan to establish an effective monitoring system, in a form acceptable to both, so as to stop infiltration. The European Council underlined the shared interest of all countries in fighting terrorism.

The European Council encouraged India to be ready to respond with further de-escalatory steps as Pakistan shows that it is acting to fulfil its commitments. The European Council noted the importance of free, fair and inclusive elections this autumn in Jammu and Kashmir.

The European Council called on both parties to adhere to the NPT and to sign and ratify the CTBT.

The European Council confirmed the EU's commitment to work with India and Pakistan and with others in the international community, seeking for possible confidence-building measures in order to defuse the immediate crisis, and to continue to encourage both countries to achieve a lasting settlement of the differences between them through bilateral dialogue. The High Representative ought to pay an early visit to the region.

**LIST OF SUPPORTING REPORTS/REPORTS
FOR THE EUROPEAN COUNCIL**

- Preparing the Council for enlargement: Report by the Presidency to the European Council
[9939/02]
- Communication from the Commission on the Action Plans for administrative and judicial capacity, and the monitoring of commitments made by the negotiating countries in the accession negotiations
[9757/02]
- Commission report: Explaining Europe's enlargement
[9758/02]
- Communication from the Commission "Towards integrated management of the external borders of the Member States of the European Union"
[9139/02]
- Note from the Presidency on enlargement
[9765/02 + REV 1 (it)]
- Presidency report on advances made in combating illegal immigration
[10009/02]
- Presidency note on cooperation with third countries of origin and transit to jointly combat illegal immigration
[9917/3/02 REV 3]
- Council (JHA) conclusions on measures to be applied to prevent and combat illegal immigration and smuggling and trafficking in human beings by sea
[10017/02]
- Plan for the management of the external borders
[10019/02]
- Draft Council conclusions on the preparation of the World Summit on Sustainable Development (Johannesburg)
[9947/02]
- Presidency report: Giving fresh impetus to the Lisbon Strategy: Progress towards fulfilling the remits adopted by the Barcelona European Council
[9909/1/02 REV 1]

- Commission communication - European Governance: Better lawmaking
[9809/02]
- Communication from the Commission - Action plan: "Simplifying and improving the regulatory environment"
[9809/02 ADD 1]
- Communication from the Commission: Consultation document: Towards a reinforced culture of consultation and dialogue
[9809/02 ADD 2]
- Communication from the Commission on impact assessment
[9809/02 ADD 3]
- Communication from the Commission entitled "Towards the Full Roll-Out of Third Generation Mobile Communications"
[9946/02]
- Report from the Commission to the Council on using the Internet to develop twinning between European secondary schools
[10037/02]
- Commission communication: "eEurope 2005: An information society for all"
[9508/02]
Report from the Commission on the status of work on the guidelines for state aid and services of general economic interest
[9787/02]
- Council Recommendation for the Broad Guidelines of the Economic Policies of the Member States and the Community
[10093/02]
- ECOFIN Council report: Administrative cooperation in the area of taxation
[10014/02 + REV 1 (en)]
- ECOFIN Council report: tax package
[10226/02]
- Progress report on energy taxation
[10195/02]
- Presidency Report on European Security and Defence Policy
[10160/2/02 REV 2]

- Presidency report on the implementation of the EU Programme for the Prevention of Violent Conflicts
[9991/02]
 - Council conclusions on Kaliningrad
[10038/02]
 - Council report on the implementation of the Common Strategy of the European Union on Russia
[9916/02]
 - Article 299(2): Implementation of the sustainable development strategy for the outermost regions
 - Progress report and work programme with a provisional timetable
[10148/02]
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