

## Time for Justice in Kosovo

Everybody interested knows that Kosovo has been and remains a haven for a dreadful complex of clan-based criminality, trafficking, and corruption linked to its political leadership. The European Commission's so-called 'progress reports' for 2009 and now 2010 hardly change, with identical expressions repeated "Kosovo's fight against drug trafficking is still at an early stage"; the Commission also states in 2010 that "political interference ... hinders the effective fight against organised crime". .. "Kosovo lacks a track record of conviction related to organised crime", and 'there has been limited progress in tackling trafficking of human beings'.<sup>1</sup>

As if these progress reports were not enough, there is now the Draft Report of the Legal and Human Rights Committee for the Council of Europe of 12 December 2010 on the *'Inhuman treatment of people and illicit trafficking in human organs in Kosovo'*<sup>2</sup>, based on an Explanatory Memorandum by Mr Dick Marty, a Swiss member of the Parliamentary Assembly and former state prosecutor. The memorandum of Mr Marty blows the whistle loud and clear, delivering a devastating indictment against the leadership of Kosovo, naming in particular the newly re-elected Prime Minister Hashim Thaçi.

For those who have not read the Marty memorandum here are a few excerpts to sharpen sensitivities that may otherwise have been dulled by the restrained drafting of the Commission's progress reports:

"Most pertinent to our research, we found that a small but inestimably powerful group of KLA personalities apparently wrested control of most of the illicit criminal enterprises in which Kosovar Albanians were involved in the republic of Albania, beginning at the latest in 1998. This group of prominent KLA personalities styled itself as the Drenica Group, evoking connections with the Drenica Valley in Kosovo. We found that the Drenica group has as its chief – or, to use the terminology of organised crime networks, its boss – the renowned political operator and perhaps most internationally recognised personality of the KLA, Hashim Thaçi (paragraphs 56-63 of the Marty memorandum)".

The report goes on to describe gruesome human organ trafficking activity that are believed to have been ongoing

in 1999 using facilities at Fushe-Kruje in Albania, not far from Tirana, where the proprietor allegedly shared both clan ties and organised criminal connections with members of the Drenica group. Captives brought from Kosovo were summarily executed by a KLA gunman, and their corpses transported swiftly to the operating clinic for kidney extractions, with the organs thence exported from Tirana airport (paragraphs 159-167 of the Marty memorandum).

These alleged crimes would carry the terrible history of the Yugoslavia war crimes to new depths. What next?

*Option 0* would see continuation of the status quo, business as usual. The Council of Europe report would be shelved together with some lofty political declarations.

*Option 1* could be based on that recommended in the draft report of the Council of Europe, which recognises a central role on the EU's 'EULEX' mission in Kosovo 'to persevere with its investigative work, without taking any account of the offices held by possible suspects or of the origin of the victims, doing everything to cast light on the criminal disappearances, the indications of organ trafficking, corruption and the collusion so often complained of between organised criminal groups and political circles' (paragraph 19.2.1). However this wording is quite weak; it does not explicitly advocate prosecutorial action, although EULEX prosecutors are empowered to investigate and prosecute a number of crimes, including war crimes, crimes against humanity and organized crime.

*Option 2* would see the International Criminal Tribunal for Yugoslavia (ICTY) opening a prosecutorial investigation. This would enable the scope of the investigation to extend into Albania – which, like any State, is under an international obligation to cooperate with the ICTY –, whereas EULEX only has authority to work in Kosovo. The ICTY is of course preparing itself for closure and will see the establishment of an "International Residual Mechanism" by 1 July 2013, but its mission seems not yet accomplished with this most hideous of crimes left unpursued at the level of the most senior leaders. Surely the ICTY would be expected to work in close collaboration with EULEX.

In practice complementary and cooperative action by ICTY and EULEX together would make the most sense, since ICTY could take up the cases involving the most senior leaders, and EULEX could handle lesser cases at the local level, while both would share information.

<sup>1</sup> European Commission, *'Kosovo – 2010 Progress Report'*, SEC(2010)1329, Working document, 9 November 2010.

<sup>2</sup> Council of Europe, Draft Report of the Committee on Legal Affairs and Human Rights, *'Inhuman treatment of people and illicit trafficking in human organs in Kosovo'*, AS/Jur (2010) 46, 12 December 2010, including an Explanatory Memorandum by Mr Dick Marty.

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Option 3 would additionally see the EU respond to its broader political responsibilities, with political action following the launching of prosecutorial action by ICTY and EULEX.

This would take into account the fact that the EU and its member states are in the middle of a multi-year programme of financial aid to Kosovo, following a donor conference in 2008 at which the EU and its member states together pledged EUR 508 million for the years 2009 to 2011. This assistance covers a wide range of programmes and projects for economic infrastructure, political institution building, the rule of law (with the major EULEX mission), education, public health etc. With the political leadership of Hashim Thaçi subject to prosecutorial enquiry, the EU would signal that it expected the Prime Minister to resign while the case was under investigation. But it would go further than this, and signal that a new government of Kosovo would have to be led by a Mr Clean, who would get serious over all the current rule of law problems that are well documented. These would moreover be conditions for continuation of various parts of the substantial economic aid programmes now underway.

This renewal of the Kosovo leadership would moreover be conducive to progress in the UN-mandated and EU-mediated dialogue between Serbia and Kosovo which is due to begin its work early in 2011, with a view to sorting out the outstanding problems between the two parties. For this the Kosovo party needs a new, credible and respected leadership.

This last Option 3, combined with legal action by the ICTY and EULEX, would be consistent with the EU's self-appointed role as leading force for the political transformation and economic integration of the whole of the Western Balkans into modern Europe and its values.

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*Council of Europe Parliamentary Assembly Committee demands investigations into organ-trafficking and disappearances in Kosovo and Albania*

Council of Europe press release  
Strasbourg, 16 December 2010. [Link](#)

The Committee on Legal Affairs of the Parliamentary Assembly of the Council of Europe (PACE) has called for a series of international and national investigations into evidence of disappearances, organ trafficking, corruption and collusion between organised criminal groups and political circles in Kosovo\* revealed this week in a report by Dick Marty (Switzerland, ALDE).

According to a draft resolution unanimously approved today in Paris, based on Mr Marty's report, the committee said there were "numerous concrete and convergent indications" confirming that Serbian and Albanian Kosovars were held prisoner in secret places of detention under KLA control in northern Albania and were subjected to inhuman and degrading treatment, before ultimately disappearing.

The committee added: "Numerous indications seem to confirm that, during the period immediately after the end of the armed conflict [...], organs were removed from some prisoners at a clinic in Albanian territory, near Fushë-Kruje, to be taken abroad for transplantation".

"The international organisations in place in Kosovo favoured a pragmatic political approach, taking the view that they needed to promote short-term stability at any price, thereby sacrificing some important principles of justice," the parliamentarians said.

The committee called on EULEX, the EU mission in Kosovo, to persevere with its investigative work into these crimes, and on the EU and other contributing states to give the Mission the resources and political support it needed.

It also called on the Serbian and Albanian authorities, and the Kosovo administration, to fully co-operate with all investigations on the subject.

The Parliamentary Assembly is due to debate the report on Tuesday 25th January 2011 during its winter plenary session (24-28 January 2011).

**Related Documents:**

- Draft CoE resolution and explanatory memorandum. [Access here.](#)
- Appendix to the report: a map. [Access here.](#)

*Reaction by Kosovo PM Thaçi on Council of Europe report on organ-trafficking and disappearances*

Office of the Kosovo PM press release  
Pristina, 16 December 2010. [Link](#)

[Extracts]

As you are aware, the Republic of Kosovo and its citizens are facing once again an ill-intentioned propaganda that has as the object of denunciation the Kosovo Liberation Army and its leaders. That is, the project of Kosovo's freedom and independence. Moreover, the overall goal of this campaign is the damaging of Kosovo's international image.

The scandalous report of a member of the Parliamentary Assembly of Council of Europe, Dick Marty, is a text filled with slander and lies, which are a recycling of the continuous propaganda of certain circles that do not wish good to Kosovo and its citizens. Moreover, this is a report that tends to tarnish all Albanians in the region.

The monstrous charges contained in Dick Marty's report do not honor any individual who commits to the truth and justice.

Incriminating allegations contained in Dick Marty's report have been already investigated several times by credible institutions of international justice, including the ICTY, UNMIK, and most recently, EULEX. In all cases, it has been proved that there is no basis for these controversial charges.

The Government of Kosovo and I personally request that as soon as possible, professional procedures be initiated regarding all allegations contained in the report, in order for the truth to come out. Also, we request from Dick Marty to submit all the facts and evidence that he claims he has, to the competent organs of justice, in order to assist the investigative process. [...]

I, as the Prime Minister of the Republic of Kosovo, but first and foremost, as a citizen and as a parent, feel greatly offended by the unfounded accusations that Dick Marty has directed against me, against my fellow KLA soldiers, against the Kosovo Liberation Army, and above all against my country and my people. People of Kosovo are part of Europe; they are part of the civilized world and are not part of primitive tribal and clan mentality, as they've been described by Dick Marty.

I am going to review all legal and political options to challenge this tendentious report, in order to bring out the truth and justice. Kosovo and its citizens have faced many more serious challenges in the past and will know how to successfully overcome this challenge, too. [...]

### Statement by EU HR Ashton and Commissioner Füle on elections in Kosovo

EU press release

Brussels, 13 December 2010. [Link](#)

We congratulate the people of Kosovo on their elections on 12 December and the calm and orderly manner in which the majority of the voting took place. We also want to congratulate the authorities and the Central Electoral Commission in particular, for having organized these elections at such short notice.

The participation of the Kosovo people of all communities is very welcome. Now it is up to the competent authorities to certify the results and to deal with complaints and appeals in line with the relevant laws and regulations.

It is important now to rapidly form a new government and to elect a new President so that they can tackle the many challenges ahead.

We look forward to working with the new Kosovo leadership and to begin at the earliest the dialogue between Pristina and Belgrade. We have much work ahead of us in the coming year so that Kosovo can further advance towards the EU.

### European Council conclusions on Montenegro

Brussels, 16-17 December 2010. [Link](#)

10. The European Council endorsed the Council's conclusions of 14 December 2010 on enlargement and agreed to give Montenegro the status of candidate country.

### EU Council conclusions on enlargement/stabilisation and association process

EU press release

Brussels, 14 December 2010. [Link](#)

#### Enlargement Strategy

In line with the renewed consensus on enlargement approved by the European Council on 14 and 15 December 2006, and the Council conclusions of 8 December 2009, the Council welcomes the communication from the Commission of 9 November 2010 on the Enlargement Strategy and Main Challenges 2010-2011, as well as the Opinions on Montenegro and Albania, and the progress reports "Turkey", "Croatia", "Iceland", "the former Yugoslav Republic of Macedonia", "Serbia", "Bosnia and Herzegovina" and "Kosovo1". The Council broadly shares the Commission's assessments and takes good note of the conclusions and recommendations therein. [...]

#### Turkey

Building on progress made, the Council encourages Turkey to further improve the observance of fundamental rights and freedoms in law and in practice, in particular in the areas of freedom of expression and freedom of religion. A number of positive steps have been registered on civilian oversight of the security forces and implementation of the judicial reform strategy, but further progress is needed. Further efforts towards fully meeting the Copenhagen criteria are also required, inter alia, as regards property rights, trade union rights, rights of persons belonging to minorities, women's and children's

rights, anti-discrimination and gender equality, and the fight against torture and ill-treatment. [...]

Turkey has become more active in its wider neighbourhood and is an important regional player, inter alia for security in the Middle East, Western Balkans, Afghanistan/Pakistan, and the Southern Caucasus. In line with the principles set out in the Negotiating Framework, the Council encourages Turkey to develop its foreign policy as a complement to and in coordination with the EU, and to progressively align with EU policies and positions. By thus acting together, the EU and Turkey can strengthen energy security, address regional conflicts and prevent divisions developing along ethnic or religious lines. In this regard, the Council stands ready to intensify its existing dialogue with Turkey on foreign policy issues of mutual interest. Turkey is one of the key countries of origin and transit for illegal immigration to the EU. In this context, the Council welcomes that substantial progress has been made in the negotiations on an EU-Turkey readmission agreement. The Council looks forward to its conclusion, in view of its effective implementation. [...]

Furthermore, Turkey has still not made progress towards the necessary normalisation of its relations with the Republic of Cyprus. [...]

#### Croatia

The Council welcomes Croatia's good overall progress towards meeting the membership criteria. Accession negotiations have reached their final stage and preparations for the drafting of the Accession Treaty have progressed steadily. Conclusion of the negotiations is within reach. [...]

#### Iceland

[...] Negotiations will be aimed at Iceland integrally adopting the EU acquis and ensuring its full implementation and enforcement. In line with the Negotiating Framework, the fulfilment of Iceland's obligations under the EEA Agreement, taking full account, inter alia, of the European Council conclusions of 17 June 2010, as well as Iceland's progress in addressing other areas of weakness identified in the Commission's Opinion, will guide the advancement of negotiations. In this context, the Council looks forward to the results of the screening process. [...]

#### Former Yugoslav Republic of Macedonia

The Council welcomes that the Former Yugoslav Republic of Macedonia has achieved further progress in key reform areas such as police reform, albeit at an uneven pace. The country continues to fulfil its commitments under the Stabilisation and Association Agreement. The Council expects the country to keep the momentum of the reform agenda. The country needs to make further progress in relation to dialogue among political actors, judiciary and public administration reform, the fight against corruption, freedom of expression and improving the business environment. The implementation of the Ohrid Framework Agreement remains an essential element of democracy and the rule of law in the country. [...]

#### Montenegro

[...] The Council notes that the opening of accession negotiations will be considered by the European Council, in line with established practice, once the Commission has assessed that

Montenegro has achieved the necessary degree of compliance with the membership criteria and has met in particular the key priorities set out in the Commission's Opinion on the country. The Council invites the Commission to focus its 2011 progress report on Montenegro in particular on the implementation of these key priorities which need to be addressed and will return to this issue when the Commission has assessed that these conditions have been met. In the light of the progress made by Montenegro, the Council welcomes the positive assessment of the Commission and notes that its recommendation of granting candidate status will be considered by the European Council.

#### Albania

[...] Further efforts are needed, in particular on the implementation of the twelve key priorities set out in the Commission's Opinion on Albania which need to be addressed. These key priorities focus on the stability of institutions guaranteeing democracy, the rule of law, judicial reform, the fight against corruption and organised crime, electoral reform, public administration reform and the protection of human rights including property rights. The Council strongly encourages the political parties to overcome the current political stalemate by establishing a constructive and sustained political dialogue to ensure the proper functioning of parliament. [...]

#### Serbia

[...] The Council welcomes the several important steps Serbia has taken towards reconciliation and cooperation in the region. The Council also welcomes the cooperation with the EU that led to the adoption and co-sponsorship of the UN General Assembly Resolution 64/298. The Council encourages Serbia to further strengthen its cooperation with the EULEX rule of law mission especially with respect to the north of Kosovo. A constructive approach towards inclusive regional cooperation, including trade, remains essential.

The Council reiterates the readiness of the EU to facilitate a process of dialogue between Belgrade and Pristina, welcomed in the UN General Assembly Resolution 64/298, to promote cooperation, achieve progress on the path to the EU and improve the lives of people and welcomes Serbia's commitment to engage on this basis. The process of dialogue in itself would be a factor for peace, security and stability in the region. The Council calls on both parties to begin the dialogue quickly and in a constructive spirit.

The Council notes that Serbia has maintained its cooperation with the ICTY with a view to delivering further positive results. However, the two remaining ICTY fugitives are still at large. The Council will closely monitor the progress reports by the Office of the Prosecutor. Reiterating its conclusions of 25 October 2010, in line with the political criteria of Copenhagen, full cooperation with ICTY remains an essential condition for membership of the EU.

The Council recalls that it invited the Commission in October 2010 to submit its opinion on Serbia's application for European Union membership. It will return to the matter when the Commission has presented its opinion. [...]

#### Bosnia and Herzegovina

[...] The Council reiterates its call on the newly elected leaders of the country to engage constructively in political dialogue in order to develop a shared vision on the future of the country and to anchor the EU agenda at the heart of their governments' programme. The EU reiterates its unequivocal commitment to the European perspective of BiH. It also reaffirms its unequivocal commitment to the territorial integrity of BiH as a sovereign and united country.

The country needs to urgently address the political criteria, align itself with its obligations under the SAA/IA and speed up the relevant reforms which are essential for further progress towards EU membership. Such further steps, preceding a credible application for EU-membership, will be considered by the Council in line with the progress Bosnia and Herzegovina still needs to achieve. Bosnia and Herzegovina needs to align its constitutional framework with the European Convention on Human Rights. The Council stresses the importance of improving and strengthening the efficient functioning of the state and the institutions, including through necessary constitutional changes. In particular, the country will need to be in a position to adopt, implement and enforce the laws and rules of the EU. [...]

#### Kosovo

The Council welcomes Kosovo's strengthened commitment to its European agenda and the establishment of a ministry for European Integration and the progress in strengthening executive and parliamentary structures in this regard. The Council welcomes in particular the successful conduct of the Stabilisation and Association Process dialogue with the European Union. It notes that the decentralisation process in Kosovo has advanced significantly. The Council welcomes the calm and generally orderly manner in which the elections of 12 December were held and looks forward to a rapid formation of government, following the certification of the elections by the Central Electoral Commission which should deal with any complaints and appeals in line with the relevant laws and regulations. The Council stresses that major challenges remain. These include rule of law, public administration reform, the fight against organised crime, corruption, money laundering, migration, asylum, ensuring freedom of expression, the protection and integration of Serbs and other minorities as well as enhancing dialogue and reconciliation between the communities. The Council encourages Kosovo to continue to cooperate with EULEX and to ensure support for EULEX's work. A constructive approach towards inclusive regional cooperation, including trade, remains essential. [...]

### EU Report on the implementation of the Eastern Partnership

Submitted to the meeting of EU Foreign Affairs Ministers  
Brussels, 13 December 2010. [Link](#)

[Extracts]

The present report summarizes progress made since the first Ministerial meeting of the EaP on 8 December 2009. The deliberations of the Eastern Partnership ministerial will feed into the ongoing Strategic Review of the European Neighbourhood Policy. The resulting proposals concerning the

further implementation of the Eastern Partnership, its medium-term objectives and its instruments will lay the basis for the second Eastern Partnership Summit, to be held in Budapest in May, 2011.

The Strategic Review already reveals a nearly unanimous call for more focus, clearer sequencing, more measurable benchmarks, and for a better link between the partner's domestic reforms and the EU support provided for these reforms. A stronger political steering will be necessary. Matrices that have been prepared for each Partner Country (with the exception of Belarus) should help this process. [...]

New Association Agreements – negotiating a new foundation for our relations: Negotiations on the Association Agreement with Ukraine continued in a constructive atmosphere, including, more recently, also on the Deep and Comprehensive Free Trade Area (DCFTA). [...] Negotiations on the Association Agreement with the Republic of Moldova were launched in January and have made very good progress since then, including through four plenary rounds. A significant number of chapters of the agreements have been provisionally closed. Negotiations on Association Agreements with Armenia, Azerbaijan and Georgia were launched in July 2010. [...] Moreover, efforts are underway to ensure that negotiations on a DCFTA with Armenia and Georgia as well as the Republic of Moldova can be launched as soon as possible, taking into account the progress made in the implementation of the Commission's "key recommendations" to these countries.

Enhanced Mobility: The EU has been responding to the strong request of partners for enhanced mobility through visa facilitation and readmission agreements and through "gradual steps toward full visa liberalization as a long-term goal for individual partner countries on a case-by-case basis provided that conditions for well-managed and secure mobility are in place" [...] The EU-Georgia visa facilitation agreement was signed in June 2010 and the EU-Georgia readmission agreement in November. [...] preparations for negotiations of similar agreements for Armenia, Azerbaijan and Belarus have also been launched, with a view to starting negotiations in the first half of 2011. The implementation of the EU-Republic of Moldova Mobility Partnership (Joint Declaration signed in June 2008) and the EU-Georgia Mobility Partnership (Joint Declaration signed in November 2009) has continued to progress, providing frameworks for the movement of persons and legal migration as well as the fight against illegal migration and trafficking of human beings. Preparations for developing a Mobility Partnership with Armenia have also started. Progress has been made in the EU-Ukraine visa dialogue (launched in autumn 2008) which has now entered a fully operational phase on the basis of an action plan setting out all technical conditions to be met by Ukraine before the possible establishment of a visa-free travel regime (visa facilitation and readmission agreements with Ukraine have been in force since 2008). As regards the Republic of Moldova and subsequent to the launching of the visa dialogue in June 2010, the Council of the European Union in October 2010 invited the Commission to prepare a similar draft action plan on visa liberalization with a view to the visa dialogue entering a fully operational phase as soon as appropriate.

Energy: [...] The EU welcomed Ukraine's signature of the Protocol on the Accession to the Energy Community Treaty at

a Ministerial Council meeting in Skopje in September 2010. [...] The EU called for further significant reforms to be undertaken to align the Ukrainian energy market with that of the EU, notably by restructuring Naftogaz of Ukraine and increasing financial transparency in the energy sector. [...] The Republic of Moldova acceded to the Energy Community and is implementing energy sector reforms in accordance with its commitments. [...] Armenia requested the status of an observer in the Energy Community. The European Commission and Georgia in November 2010 co-hosted a Georgia Energy Investment Conference to attract IFIs and private sector finance. Energy cooperation with Azerbaijan was further enhanced in the framework of the ongoing efforts in support of the realization of the Southern Energy Corridor. With the view to strengthening energy security, the EU reiterated its political support to natural gas infrastructure projects within the Southern Corridor, including the effective start of Nabucco. The EU and Belarus in October 2010, held their regular expert level consultations on energy issues.

Comprehensive institution building (CIB): Work has been taken forward to launch preparatory activities in 2011, ahead of the start of the fully-fledged CIB actions. In the framework of the Eastern Partnership, CIB seeks to strengthen a limited number of core institutions which are central in preparing the ground for and implementing future Association Agreements (AAs), including Deep and Comprehensive Free Trade Areas (DCFTAs), and making progress towards visa liberalisation as a long-term goal.

Strengthened Human Rights Dialogues: [...] Significant steps have been taken to strengthen bilateral dialogues on these matters. Since its launch in July 2009, three rounds of Human Rights dialogue took place with Georgia. The first meeting of the EU Armenia Human Rights dialogue took place in December 2009. Issues of democracy and human rights will be also discussed with Azerbaijan in the framework of a new sub-committee for JLS and Human Rights and Democracy which was established in 2010, with the first meeting expected to take place on 30 November-1 December 2010. With Ukraine and the Republic of Moldova, human rights discussions in the framework of the respective JLS Subcommittee meetings have gained new momentum. As regards Ukraine, human rights issues are extensively reflected in the new EU-Ukraine Association Agenda, which replaces the former EU Ukraine Action Plan. A dedicated and regular EU-Republic of Moldova Human Rights Dialogue was launched in March 2010. The EU and Armenia launched a dedicated and regular human rights dialogue in December 2009. The EU and Georgia further consolidated their exchange on human rights, with three dedicated meetings held so far. The EU welcomed Azerbaijan's readiness to engage in a regular dialogue on human rights issues and democratization. [...]

#### Thematic platforms

The four thematic Platforms address the main areas of cooperation: Democracy, good governance and stability; Economic integration and convergence with EU sector policies; Energy security; Contacts between people. Participants include the Member States and the Partner Countries, all EU institutions and, as appropriate, relevant international organizations and IFIs. They may establish Panels to support their work. Flagship initiatives, financed from the EU budget, give concrete substance to the partnership.

In 2010, the four thematic platforms have met twice and started implementing their work programmes. They have established several Panels and discussed and commented the design of flagship in initiatives. They have established cooperation with the Civil Society Forum. They have engaged in a significant number of concrete actions, involving a broad range of players. Member States have actively contributed and offered support and expertise in the organization and delivery of seminars and training programmes. Assistance from international organizations has also been provided. [...]

#### The Civil Society Forum

The EaP Civil Society Forum (CSF) following its first meeting in November 2009 has become an integral part of the multilateral track of the EaP. Its representatives participated in spring round of platform meetings in capacity of guests of the Chair. They presented the Forum's recommendations on the implementation of the EaP. Following the decision taken by Platforms, the representatives of the CSF have been so far invited to participate in the Panel on Fight against Corruption, in the Panel on Public Administration Reform, in the Panel on improved functioning of the Judiciary, in the Panel on SMEs, and in the Panel on Environment and Climate Change. [...]

#### The EU-Neighborhood East Parliamentary Assembly

The Prague declaration had invited Parliamentarians from the European Union and the Partner Countries to come forward with ideas regarding the European Parliament's proposal to establish a EURONEST-P.A. Attempts made have not been successful so far, since it has not been possible to find agreement on arrangements for the participation of representatives of Belarus.

#### The EU assistance, including Flagship Initiatives

As regards technical assistance, two innovations of the EaP are the Comprehensive Institution Building programmes (as reported upon above, in the bilateral part of this document) and Flagship Initiatives, which are multi-country programmes [...].

#### Related Documents:

- EU-Armenia Cooperation Council. [Access here.](#)
- EU-Armenia Human Rights dialogue. [Access here.](#)
- EU-Azerbaijan Cooperation Council. [Access here.](#)
- EU-Georgia Cooperation Council. [Access here.](#)

### Belarus presidential election final vote count

Minsk, 24 December 2010. [Link](#)

The Central Election Commission of Belarus has summed up results of the presidential election that took place on 19 December. Incumbent president Alexander Lukashenko has been re-elected by winning 79.65% of the vote. The information was voiced at a session of Belarus' Central Election Commission for Elections and National Referendums on 24 December, BelTA has learned.

Grigory Kostusev won 1.97% of the vote, Aleksei Mikhalevich 1.02%, Vladimir Nekliaev 1.78%, Yaroslav Romanchuk 1.98%, Vitaly Rymashevsky 1.09%, Andrei Sannikov 2.43%, Nikolai

Statkevich 1.05%, Viktor Tereshchenko 1.19%, Dmitry Uss 0.39%. 6.47% of those, who took part in the election, voted for "none of the above".

Voter turnout amounted to 90.65%, roughly 2% down from 2006, Belarus' CEC said. Voter turnout amounted to over 91% in Brest Oblast, over 93% in Vitebsk Oblast and Gomel Oblast, nearly 91% in Grodno Oblast and Minsk Oblast, 93.7% in Mogilev Oblast and over 84% in the city of Minsk.

The CEC has declined a petition of one of the presidential candidates to invalidate results of the election because no facts or proofs of violations that may influence the overall election results have been presented.

At the CEC session it was said that some violations of the election legislation had been registered but they had been minor ones. Typical violations included the presence of several people in a voting booth and incorrect electoral registers. CEC member Nadezhda Kiseleva said that many voters had failed to correct their errors when they had been told that only one person is allowed to be in a voting booth at a time. The number of people, whose names were not in electoral registers, was considerably lower than that in previous years. Many more people wanted to cast votes where they live instead of where they are registered.

Summing up results of the presidential election, Secretary of the Central Election Commission (CEC) of Belarus Nikolai Lozovik said that the election campaign had been generally calm and organized. In many things it had been much more liberal than the previous one thanks to amendments to election laws.

"Yet several candidates repeatedly abused their right to agitate and urged citizens to take part in illegal actions. Acting together with opposition organizations, which declared themselves to be the only source of democracy, they tried to do their best to reduce the importance of what had been done to democratize the election process, aiming to convince the international community not to recognize the election," stressed Nikolai Lozovik. With this in mind they organized civil unrest in Minsk, said the official.

Nikolai Lozovik said that several human rights organizations had had an unproductive attitude by siding with several presidential candidates. "They provided observers, who had been nominated by these organizations and opposition parties, with predetermined illegal petitions and proposals that were used to bombard election commissions during the election. Using these documents in numbers, the so-called human rights activists tried to convince foreign observers that multiple violations of election laws took place. The scheme failed," said Nikolai Lozovik.

According to the source, the OSCE observation mission used its own data to classify elections as good and very good at over 94% of the polling stations it monitored. However, the mission's final statement was influenced by street protests to a certain degree. Before that the OSCE evaluation of the election was more balanced and objective, with changes for the better taken into account.

The election was monitored by 39,000 domestic observers and over 1,000 foreign ones. Most of them praised the organization of the election process in Belarus. Individual violations and drawbacks in the election organization were not systematic and did not influence the overall election results.

Chairperson of the Central Election Commission (CEC) Lidia Yermoshina said that the election campaign had been hard. However, voters were pleased with the election organization. Most complaints were filed by representatives of the so-called opposition and some foreign observers. She believes that the evaluation of the presidential election by some Western politicians relies on a prejudiced opinion of a small number of citizens. Lidia Yermoshina was convinced that these citizens were not sufficiently informed about the situation in Belarus and advised them to talk to people more to learn opinions and the mood of most Belarusians.

#### Related Documents:

President Lukashenko appoints new government. [Access here.](#)

#### OSCE statement on Belarus elections

Minsk, 20 December 2010. [Link](#)

Yesterday's presidential election showed that Belarus still has a considerable way to go in meeting its OSCE commitments, although some specific improvements were made, concluded the international observers from the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE Parliamentary Assembly (OSCE PA).

Election night was marred by the detention of most presidential candidates and hundreds of activists, journalists and civil society representatives. While voting on election day was overall assessed positively, the process deteriorated significantly during the vote count, with observers assessing almost half of vote counts monitored as bad or very bad. This undermined the steps that had been taken to improve the election.

"This election failed to give Belarus the new start it needed. The counting process lacked transparency. The people of Belarus deserved better. And, in particular, I now expect the Government to account for the arrests of presidential candidates, journalists and human rights activists," said Tony Lloyd who leads the short-term OSCE observer mission and heads the delegation of the OSCE PA.

"I had very much hoped that this time we would be able to make a more positive assessment. Unfortunately, this is not possible in light of the flawed vote count and the authorities' heavy-handed response to yesterday's demonstrations," said Ambassador Geert-Hinrich Ahrens, Head of the OSCE/ODIHR long-term election observation mission. He encouraged the Belarusian authorities to remain committed to their OSCE obligations and not halt the democratic reforms indispensable for bringing elections in line with international standards.

The observers noted that during the campaign, all candidates were able to convey their messages to the electorate in an unhindered manner. They could address the electorate directly

through two TV debates and free airtime provided to them in an uncensored but limited format.

Nevertheless, the current president and the other contenders competed on unequal terms. There were cases of misuse of administrative resources to promote the incumbent. Nationwide broadcasters devoted some 90 per cent of political news to the current president. The lack of media diversity reduced the possibility for voters to make an informed choice.

The Central Election Commission administered the technical aspects of the election process well and in a transparent manner, but lacked impartiality. Although the election legislation allows for a pluralistic composition of election commissions, in practice less than 1 per cent of commission members represented the opposition.

Despite some improvements in the election legislation, the legal framework still does not adequately guarantee the conduct of elections in line with OSCE commitments. Important aspects of the process are not fully regulated. This includes the lack of safeguards to ensure the integrity of early voting and the vote count.

#### EUHR Ashton on Belarus elections

Brussels, 20 December 2010. [Link](#)

I have taken good note of the preliminary findings of the OSCE/ODIHR -led International Election Observation Mission to the Belarusian presidential elections. They noted that Belarus still has a considerable way to go in meeting its OSCE commitments, although some specific improvements were made. Unfortunately, the trend set by the relative progress during the campaigning period was not followed by a transparent and fair polling process.

It is especially regrettable that election night was marred by violence, which I strongly condemn. In particular, the beating and detention of several opposition leaders, including presidential candidates, is unacceptable.

I urge Belarus to engage fully in dialogue with the OSCE/ODIHR on reform of the electoral code and how to best implement OSCE/ODIHR recommendations in this respect with a view to future elections.

I recall our policy of critical engagement, through which the EU has offered a deepening relationship with Belarus. This is conditional on respect for the principles of democracy, the rule of law and human rights. The Union remains committed to strengthening its engagement with the Belarusian people and civil society.



## Related Documents:

- EU High Representative Catherine Ashton and US Secretary of State Hillary Clinton joint statement on the elections in Belarus. [Access here.](#)
- European Parliament President, Erhardt Buzek on Belarusian presidential candidate being beaten up. [Access here.](#)
- "Lukashenko the Loser", Op-ed by Carl Bildt, Karel Schwarzenberg, Radek Sikorski and Guido Westerwelle, *International Herald Tribune*, December 23, 2010. [Access here.](#)

### Belarus discontinues mandate of Minsk-based OSCE office

Minsk, 31 December 2010. [Link](#)

The Belarusian side has decided not to extend the mandate of the OSCE Office in Minsk. It should be noted that this is a conscious decision pre-determined by the lack of objective grounds for the OSCE Mission to stay in Belarus. For years, this standpoint has been part of the Belarus official statements.

Today, Belarus Permanent Representative to the International Organizations in Vienna Alexander Sychev informed the OSCE Permanent Council's members of this decision.

From 2003, as the Office has been operating in our country, a number of meaningful joint projects have been implemented. The OSCE experts and governmental bodies concerned have successfully co-operated in the areas of the development of alternative energy sources, agricultural tourism, rehabilitation of Chernobyl-affected regions.

Particular importance in the implementation of joint projects was attached to the creation of efficient mechanisms for the co-operation of governmental and public organizations, development of local governance legislation, combating human trafficking.

The Belarusian side highly appreciates the consistent efforts made by the Office staff to implement joint projects. We are confident the Office activities made an important input into improving practices of the Belarus governmental institutions.

The assessment of the results of the Minsk-based OSCE Office shows that the Office's mandate has been fulfilled. As the Latvian, Estonian and Georgian experience indicates, where, in the recent years, similar field missions of the OSCE were closed by those countries following a period of their work, the OSCE project activities may be successfully and efficiently implemented in direct liaison with the OSCE institutions. We have worked on this approach with the OSCE headquarters for several years now.

The Republic of Belarus' decision to discontinue the Office's work in Minsk will not decrease the level of co-operation between our country and OSCE. Conversely, we are ready to strengthen and enhance the efficiency of practical interaction with the OSCE institutions in all areas of Organization's programme activities.

### OSCE on closure of its Minsk office

Vilnius, 3 January 2011. [Link](#)

The OSCE Chairperson-in-Office, Lithuanian Foreign Minister Audronius Azubalis, said today that the Chairmanship had started consultations that aim to find a solution that would enable the OSCE to continue its work in Belarus.

"I deeply regret that the Belarusian authorities did not extend the mandate of the OSCE Office in Minsk. The OSCE Chairmanship will work together with Belarus and the other OSCE participating States to continue the Organization's important work in the country. We have started informal consultations to find an agreement acceptable to all," Azubalis said.

The OSCE has maintained a presence in Minsk since 1998. The mandate of the Office must be renewed annually by the 56 OSCE participating States and it expired on 31 December 2010.

### Astana declaration adopted at 2010 OSCE Summit

OSCE press release

Astana, 2 December 2010. [Link](#)

The first OSCE Summit in 11 years concluded today with Kazakhstan's President Nursultan Nazarbayev welcoming the work of Heads of State and Government from the 56 OSCE participating States, saying their adoption of the Astana Commemorative Declaration reconfirmed the Organization's comprehensive approach to security based on trust and transparency.

"We have reconfirmed our support to the comprehensive approach to security based on trust and transparency in the politico-military field, on rational economic and environmental policy and on the full-fledged observation of human rights, basic freedoms and the rule of law," he said. "We intend to raise the level and quality of security and understanding between our states and peoples."

Nazarbayev, whose country holds the 2010 OSCE Chairmanship, described the two-day Summit as "an historic event for the entire OSCE community" that had been characterized by "the spirit of Astana".

"We realize that the way to a true Euro-Atlantic and Eurasian community with united and indivisible security will be long and thorny," he said, adding that by implementing the commitments made in Astana, participating States would prove the vitality of the Organization.

Dalia Grybauskaitė, the President of Lithuania, which will hold 2011 OSCE Chairmanship, discussed the overall purpose of the Organization in her speech at today's plenary session: "Our goal in the OSCE is clear – to build a true democratic security community without dividing lines, where all the commitments are implemented, the use of force is unthinkable and human rights and fundamental freedoms are fully respected."

The leaders at the Summit adopted the "Astana Commemorative Declaration: Towards a Security Community" that reaffirmed their commitment to OSCE principles.

"While we have made much progress, we also acknowledge that more must be done to ensure full respect for, and implementation of, these core principles and commitments that we have undertaken in the politico-military dimension, the economic and environmental dimension, and the human dimension, notably in the areas of human rights and fundamental freedoms," the declaration said.

"The security of each participating State is inseparably linked to that of all others. Each participating State has an equal right to security. We reaffirm the inherent right of each and every participating State to be free to choose or change its security arrangements, including treaties of alliance, as they evolve. Each State also has the right to neutrality. Each participating State will respect the rights of all others in these regards. They will not strengthen their security at the expense of the security of other States."

"Increased efforts should be made to resolve existing conflicts in the OSCE area in a peaceful and negotiated manner, within agreed formats, fully respecting the norms and principles of international law enshrined in the United Nations Charter, as well as the Helsinki Final Act. New crises must be prevented."

"We underscore the need to contribute effectively, based on the capacity and national interest of each participating State, to collective international efforts to promote a stable, independent, prosperous and democratic Afghanistan."

The declaration calls for an action plan to be developed under the leadership of future chairmanships

The Astana Summit brings together Heads of State and Government and other top officials from the 56 OSCE participating States and 12 Partners for Co-operation, as well as from other international and regional organizations. The Summit was the OSCE's first since the Istanbul Summit in 1999.

#### Related Documents:

- Documents and Speeches. [Access here.](#)
- Joint Statement by the Heads of Delegation of the OSCE Minsk Group Co-Chair Countries and the Presidents of Azerbaijan and Armenia. [Access here.](#)
- Remarks by EU President Herman Van Rompuy Joint Statement by the Heads of Delegation of the OSCE Minsk Group Co-Chair Countries and the Presidents of Azerbaijan and Armenia. [Access here.](#)

#### *EUHR Ashton statement on ratification by US Senate of START Treaty*

EU press release

Brussels, 23 December 2010. [Link](#)

I congratulate the U.S. Senate on their ratification of the new Strategic Arms Reduction Treaty (START) with Russia. In approving the treaty today, the Senate has shown the necessary vision and leadership which will allow the United States and Russia -- which possess 95 percent of global stockpile of nuclear weapons -- to make progress in fulfilling their disarmament commitments set in this landmark agreement.

I now look forward to the further ratification by the Russian parliament which will give both countries an historic opportunity to enhance global security by reducing the number of deployed strategic warheads and their delivery systems and by establishing a verification system to the benefit of both sides.

The ratification of the new START treaty will strengthen arms control and the global nonproliferation regime. The European Union has long stressed the need for a comprehensive approach to all these issues. A combined effort by the international community is required to strengthen disarmament, arms control and non-proliferation, which are joint security interests for all.

In this context, the European Union gives its full support to efforts of the Governments of the United States and Russia.

#### *Russian PM Putin on START and missile defence in interview with Larry King on CNN*

Russian government transcript of interview

2 December 2010. [Link](#)

#### [Extract]

Larry King: There's a lot of concern now about this new treaty. Your president, Medvedev, warned that there would be a new arms race if NATO and Moscow don't agree on a joint missile shield. And what happens to the relations between the two countries? Will there be another arms race if the United States doesn't ratify?

Vladimir Putin: No. In his state-of-the-nation address to the Russian parliament earlier today, President Medvedev said only that we made a proposal concerning the shared problem of security. He said that through joint effort and shared responsibility, we can eventually solve this problem.

But if there are only negative reactions to all of our proposals, and if a threat emerges on our borders in the form of a new incarnation of the Third Site programme, Russia will just have to protect itself using various means, including the deployment of new missile systems to counter the new threats to our borders and the development of new nuclear-missile technology. This is not our choice. We don't want this. It's not a threat. We are simply talking about what to expect if we can't agree to work together. That's all. Again, we don't want to see this happen.

Larry King: Well, you're saying it's not a threat, but it does sound like a threat. The Wall Street Journal is reporting today that America believes that you're moving short-range tactical

nuclear warheads near NATO allies, as recently as this spring. Was that true?

Vladimir Putin: Larry, listen, I'd like to make this clear to you and to all Americans, or, at least, to the audience of your show today. It's not Russia that is moving missiles close to your border; it's the United States that is planning to deploy missiles near Russia's border. We keep hearing that the purpose is to protect yourselves from the threat of a nuclear missile attack by Iran, for example. But Iran poses no such threat at the moment. And if anti-missile and radar systems are set up near our border, even in 2015, they will undermine our nuclear capabilities. So it's only natural that we are alarmed by the prospect. And we are obligated to take some measures in response. This is a response; we are not making the first moves.

While in Lisbon, President Medvedev put forward some concrete proposals about NATO and Russia sharing responsibility for security in Europe. We could reach an agreement with NATO and, by extension, with the United States, on information sharing and on jointly managing these systems. Military experts can do it, provided there is goodwill. But we continue to be told, "We don't want to take your interests into account, we are going to do whatever we want." So we'll just have to view it as a threat to our security, and we'll be forced to respond accordingly. That's what I'd like to get across to the American public.

### *Statement by EU President Van Rompuy following the EU-Russia Summit*

EU-Russia Summit  
Brussels, 7 December 2010. [Link](#)

#### [Extract]

First, we had a chance to exchange views on the global economy, and on the economic situation in the EU and in Russia, respectively. The economic recovery remains fragile and uneven between member states, I for my part made it clear that the recovery in the EU is visibly under way. We are encouraged by the prospects ahead.

Second, the EU and Russia have taken some important positive steps regarding our bilateral relationship: I am particularly rejoiced by the fact that the EU and Russia have concluded their bilateral negotiations on the WTO, and we agree that we should now focus on the multilateral negotiations so that Russia can become a member of the WTO as soon as possible. This is a paramount step forward. And a step the world is closely watching. We now wish for a push on other parts of our bilateral agenda, mainly the negotiations on the New Agreement.

I am also happy for the good progress made on the Partnership for Modernisation and that we now have a common view on how to move forward towards an eventual visa-free travel regime.

These forthcoming decisions from your side, Mr President, are clear proof of your overall commitment to taking the path to modernisation.

We now have a chance to prove that good and close EU-Russia cooperation is not only important at the strategic level, but has tangible consequences for the wellbeing of our societies. Not just interesting for our diplomats, how important they may be, but for our citizens. We need, however, to keep this momentum so that we follow up on this progress and make it real. I am fully confident that Russia will deliver.

Third, we follow closely and appreciate very highly President Medvedev's personal commitment to the cause of modernisation of Russia. I deliver the message on behalf of the Heads of State or Government of the EU's 27 Member States when I encourage you on working on Russia's modernisation based on democratic values, by building a modern economy, and by encouraging the active involvement of civil society. The European Union wishes to be Russia's partner in this historic endeavour. In this regard we take note of your efforts to push for political, judicial and economic reforms in Russia.

Fourth, I recalled to President Medvedev the questions and concerns of our Member States and in general the European public have about the situation for human rights defenders and journalists in Russia and particularly in the Northern Caucasus. I welcomed his personal involvement to ensure that perpetrators are brought to justice, strongly encouraging him to translate statements into action. The EU-Russia Human Rights dialogue remains an important element in our bilateral relationship.

Fifth, we discussed a number of sensitive issues in our common neighbourhood, also in the light of the outcome of the OSCE summit in Astana, where President Medvedev, President Barroso and I took part. We still face unresolved, protracted conflicts which are a threat to the stability and security to both the European Union and Russia. The EU is actively engaged in efforts to ensure long-lasting and peaceful solutions to these conflicts. Three examples stand out.

The EU has made specific proposals for an early resumption of the formal negotiations on the Transnistrian settlement process. We also have re-emphasised the principles of peaceful settlement proposed by the Minsk Group as the best option to reach an agreement on Nagorno-Karabakh. We welcome the personal efforts of the Russian President to ease tensions and find solutions.

We have called for restoring a meaningful OSCE presence in Georgia and for renewed efforts to deal with both the security situation and humanitarian and human rights issues, consistent with the 2008 cease-fire agreement, and with full respect for territorial integrity and sovereignty of Georgia.

Close cooperation with Russia on the above is the key to success. Progress in this field will create momentum for EU-Russia cooperation in general.

The EU and Russia are real strategic partners who try to find solutions for common problems. The direction of our relations is towards more convergence. The political will is really present

to go ahead with modernisation in all fields of society. The union itself is also involved in a broad movement of reforms, indispensable in a highly competitive world.

#### Related Documents:

- EU press release following the EU-Russia summit. [Access here.](#)
- Factsheet on EU-Russia summit. [Access here.](#)
- EU - Russia Summit: EU27 trade in goods with Russia up by a third in the first nine months of 2010 . [Access here.](#)
- European Commission Statement by President Barroso following the EU-Russia Summit. [Access here.](#)

#### *Statement by Russian President Medvedev following the EU-Russia Summit*

Brussels, 7 December 2010. [Link](#)

[Extract]

However, returning to the subject of G20, I can say that our cooperation within the group is very useful because those coordinated approaches and positions that emerge through the communication between Russia and the European Union help, in my view, to address the most complex issues connected with the development of global economy. Our main challenge now is to continue with the reform of the global financial system.

One of the topics that did not evoke as many comments is climate change. As you know, consultations on this subject are taking place at present in Cancun. None of us present here are optimistic enough to believe that something substantial will be agreed there, but nevertheless those negotiations are very important. Ultimately we must move to a comprehensive and compulsory agreement in this area.

Let me remind you that a small but crucial step in this direction was made at the Copenhagen Climate Change Conference, and now we must focus our efforts in this area. It seems to me that practically everyone understands the importance of this issue today. Frankly, after the colossal drought and wildfires in Russia last summer even some of the sceptics in our country have realised that climate processes are extremely complex. We must think about what should be done next.

Of course, we talked about the Partnership for Modernisation, as my colleagues have just said. Once again, I would like to thank the EU leadership for its close attention to this idea. Indeed, the modernisation policy is the top development priority for our country. Apart from introducing changes, gaining access to new technologies, creating more efficient and less energy intensive economy, this policy stipulates upgrading social institutions. In this context we are always in dialogue, as my colleagues have said, discussing various issues in a completely open and confidential manner, which, of course, does not mean that our positions coincide perfectly on all subjects.

We believe that we already have a few achievements to our credit. We cannot expect to take our cooperation in this field to some extraordinary level in just a year. But it is evident that even the fragmented efforts moving our cooperation forward today are good results, especially since our agreements with the EU are supplemented by bilateral agreements with some of our partners among EU member states. Just recently, over the past few days, such agreements have been signed with Italy and Poland. Therefore, it seems to me that the practical aspects of our partnership have been outlined. There is still much work to be done. Once again, I would like to say that Russia is very interested in this partnership and we are grateful to our European partners for their careful attention to this issue.

I don't know if we will get any questions about visas today but this is a subject of great interest to Russian citizens and, consequently, to Russian journalists. Two things are clear: first, visas must be scrapped, and second, it must be done in such a way as not to unbalance the situation in the EU. How can we achieve this goal given these two conditions? That is what the discussion has been centred on. We must move forward. We should think about simplifying the visa regime and signing regional agreements. So I hope that this dialogue will be continued, including on the basis of the agreement on abolishing visas, which I put forward to my colleagues at our meeting in Rostov.

Energy and energy security is a traditional subject for discussion and we came back to it again today. We talked about major trans-European projects and improving the regulatory framework, which is another important aspect in this area because a number of previously adopted decisions in the European Union do not seem to us to promote a reconciliation of our positions. We hope that we will continue a meaningful dialogue, a discussion, so as not to destroy those multifaceted energy relations that bind Russia and the EU today. Those relations are very versatile, very extensive and in my opinion, absolutely advantageous for all the parties involved. Those relations are not political, despite the fact that they create a stream of political comments; those relations are pragmatic and, in my view, mutually beneficial.

I would like to confirm that we have reached an extremely important agreement, as my colleagues have said, the agreement on Russia's accession to WTO. In fact, after our agreements with the United States and the European Union, Russia's WTO entry is becoming reality. I am pleased with the progress we made in this field in the past year. In all the decades of negotiations, this year has been the most successful. I would like to thank all of my colleagues who participated in resolving this issue and our EU partners, as well as our teams, including those that took part in these negotiations.

We already have the basic outlines of a new agreement between Russia and the European Union; the 12th round of negotiations is taking place now. We are not forcing these negotiations because we understand that they will end one day with agreement on the relevant provisions. The most important articles of this agreement have been coordinated or confirmed by the parties ad referendum.

A number of important international events have taken place recently, which we certainly could not ignore. Incidentally, we will continue the discussion on this subject today because our talks are not finished. We will talk about international and economic issues.

Indeed, the recent NATO-Russia summits have taken place in a far more favourable atmosphere than the previous ones. It is important to preserve this spirit.

As for the OSCE summit, I can say that it demanded great organisational effort, which was provided by the President of Kazakhstan. Overall, it was a useful event, though I must admit that the summit revealed all of OSCE's current flaws and the certain helplessness of the organisation in adopting important decisions.

Therefore, our task is to fill the OSCE with new content, provide new opportunities and possibly renounce the stereotypes that are sometimes used in the work of this organisation.

We would like to see our collaboration continue along the lines we have agreed on, including on a number of current initiatives, for example the Russian-German initiative to launch the Russia-EU Committee on foreign policy and security at the ministerial level. Other reliable channels could be used as well. In short, all of these projects must be implemented.

We reviewed a whole range of regional issues, namely Transnistria and Nagorno-Karabakh, and we must continue our frank discussion on these issues. I hope that this will contribute to the resolution of these complex frozen conflicts and will help achieve the relevant agreements.

Overall, I fully agree with my colleagues that the summit was conducted in a completely open, trusting and friendly atmosphere, and allowed us to move forward on a number of vital areas of our cooperation. I would like to thank my colleagues for very constructive and substantive work.

It continues and expands our policy of "constructive unilateralism."

I am, ladies and gentlemen, ready for a deep and comprehensive dialogue with my Russian counterpart.

We will of course continue to participate in the Geneva talks, hoping that our pledge today will persuade the Russian Federation to stop blocking these discussions.

But we need the political dialogue to start as well.

And for this to occur, the international community must make clear to the Russian leaders that the situation today is totally irregular and unsustainable.

In order to push them to discuss a compromise, it is essential to clearly state the reality of the situation on the ground.

This is why we are asking that the Russian military buildup within the international borders of Georgia be qualified as an illegal occupation of a sovereign territory. Many European nations, as well as the United States, already have done so.

Equally, the brutal campaigns that have expelled hundreds of thousands of Georgian citizens from the occupied territories should be qualified as illegal acts of ethnic cleansing.

If we fail to denounce this ethnic cleansing, why would the occupiers ever even consider allowing them to return to their homes and villages?

Ladies and gentlemen, if the first victim of war is always the truth, the truth is always the most solid foundation of peace.

Our constructive unilateralism and the pledge I have just made will not have the expected impact if our European friends do not speak out the truth-if you do not speak out the truth. I came here today, humbly, to tell you that we depend on you.

### *EU Council conclusions on the Middle East Peace Process*

EU Foreign Affairs Council  
Brussels, 13 December 2010. [Link](#)

1. The EU believes that urgent progress is needed towards a two state solution to the Israeli-Palestinian conflict. We want to see the State of Israel and a sovereign, independent, democratic, contiguous and viable State of Palestine living side by side in peace and security. The legitimacy of the State of Israel and the right of Palestinians to achieve statehood must never be called into question.
2. The EU notes with regret that Israel has not extended the moratorium as requested by the EU, the US and the Quartet. Our views on settlements, including in East Jerusalem, are clear: they are illegal under international law and an obstacle to peace. We reiterate our views on the status of Jerusalem and repeat our call for all parties to refrain from provocative unilateral actions and violence.
3. The EU affirms its readiness to contribute to a negotiated solution on all final status issues within the 12 months set by the Quartet. To this end, the EU will continue to work closely with the parties and reaffirms its support to the US efforts in order to bring the parties back to the negotiating table. The EU stresses the importance of intensified coordination within the Quartet as well as of close cooperation with Arab partners, building on the Arab Peace Initiative. The EU underlines the urgency of finding a negotiated solution and urges the parties to refrain from actions that undermine the prospects of peace. The EU remains committed to contribute substantially to post-conflict arrangements.
4. Council Conclusions of December 2009 set out the EU's views on the key parameters, principles and issues. We reiterate those Conclusions. The EU will not recognize any changes to the pre-1967 borders, including with regard to Jerusalem, other than those agreed by the parties. This could include agreed territorial swaps. A way must be found through negotiations to resolve the status of Jerusalem as the future capital of two states. The EU calls for an agreed, just, fair and realistic solution to the refugee question. A negotiated settlement must allow the two States to live side by side in peace and security.

5. The EU commends the work of the Palestinian Authority in building the institutions of the future State of Palestine and reiterates its full support for their endeavours in this regard and the Fayyad plan. Recalling the Berlin Declaration, the Council reiterates its readiness, when appropriate, to recognize a Palestinian state. We welcome the World Bank's assessment that "if the Palestinian Authority maintains its current performance in institution building and delivery of public services, it is well positioned for the establishment of a State at any point in the near future". The EU remains ready to develop further its bilateral relations with Israel within the framework defined at the Association Council of June 2009 and by its conclusions of December 2009. Within the framework of these conclusions, the EU is also ready to develop further its bilateral relations with the Palestinian Authority.

6. The EU recalls that peace in the Middle East should be comprehensive and reiterates the importance of negotiations on the Israel-Syria and Israel-Lebanon tracks. Peace should lead to the full integration of Israel in its regional environment, along the lines set out in the Arab Peace Initiative.

7. Recalling the Council Conclusions of June 2010, the EU remains extremely concerned by the prevailing situation in Gaza. The EU reiterates its call for the immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza. Despite some progress following the decision of the Israeli government of 20 June 2010 to ease the closure, changes on the ground have been limited and insufficient so far. Further efforts and complementary measures are needed to achieve a fundamental change of policy that allows for the reconstruction and economic recovery of Gaza as well as improve the daily lives of the population while addressing Israel's legitimate security concerns. The Council calls on those holding the abducted Israeli soldier Gilad Shalit to release him without delay. The Council calls for a complete stop of rocket attacks at Israel and all other forms of violence.

8. Palestinian exports are an essential component of Gaza's recovery. In this respect, the EU welcomes the recent announcement by the Israeli government concerning new measures to facilitate exports out of Gaza. We encourage a swift implementation by Israel and are ready to work with Israel towards achieving pre-2007 levels of exports in 2011 to produce real change on the ground. Increased and accelerated imports of construction materials are another crucial component of Gaza's recovery and also for building schools and health centres.

9. The EU recalls its readiness to assist in the reconstruction and economic recovery of Gaza in close partnership with the Palestinian Authority and the Israeli government, in line with UNSC Resolution 1860 and on the basis of the 2005 Agreement on Movement and Access. As parts of a comprehensive EU approach, including CSDP missions, the EU is ready to extend its support to improvements to the crossings infrastructure, to purchase and install the necessary equipment and also to train Palestinian border and crossings management personnel to operate the crossings.

#### Related Documents:

- EUHR Ashton on non-acceptance by Israel on moratorium on settlement building. [Access here.](#)
- EUHR Ashton on exports from Gaza. [Access here.](#)

#### Remarks by Commission President Barroso following the Africa-EU Summit

EU press release

Tripoli, 30 November 2010. [Link](#)

This has been a very successful summit. Europe and Africa are natural partners. We are bound together by a shared history. But more important than the past is the shared future that we can build, based on common values and mutual interests.

In Lisbon, in 2007, we created a new and unique partnership of solidarity and equality. This Tripoli Summit was a timely opportunity to discuss the progress we have achieved, and to set out our more tangible ambitions for the future. I want to underline this point: A Summit is a catalyst, a process. There has been work before the Summit and there will be work after it. This gathering of the leaders of Europe and Africa gave a very important impetus to a process that is now further gaining in strength.

I think we all agreed that our EU-Africa Strategy is not just about what Europe can do for Africa or vice-versa, but about what we can do together.

We also agree that our Partnership must become broader and more operational to keep up with our changing times. Africa and Europe face new challenges. We need to work on new areas of common concern, and reach out more to the business sector and civil society. I underlined this during the discussions: Our work is not only between governments and diplomats. Of course, the input from our respective leaderships is very important, but the relationship between Europe and Africa is also about societies. That is why there were side events like the Business Summit and joint delegations of the European Parliament and the Pan-African parliament.

Our discussions had a particular focus on "investment, economic growth and job creation" – in short: on growth and jobs. This is more important and urgent for Europe and for Africa than ever. Both our continents are dealing with the fall-out of a serious economic crisis. Securing a sustainable recovery and creating employment in both continents is a challenge on which we can achieve much by working together.

Africa is a thriving continent with a huge untapped potential. We all know about difficulties in Africa, but I would like people not only to speak about those, but also about the potential and the achievements of Africa. The figures are very telling: Africa's GDP rose by 4.9 percent a year from 2000 to 2008, more than twice the pace of growth in the 1980s and '90s. And despite a slow-down in 2009 because of the financial crisis, it is again reaching the same levels. Private-investment inflows are also surging.

At the same time, Europe is already Africa's biggest trading partner and the world's biggest donor of development assistance. But we have much to gain if we move our cooperation to a new level.

We therefore discussed key levers to make this happen:

For instance how smart investments in key sectors like energy, climate action can benefit Africa, expand its already impressive growth and help achieve the MDGs. We discussed for instance the urgent issue of supporting infrastructure in Africa in a more coordinated and structured way.

Another major topic was agricultural security. We also looked at how the Doha Development Agenda can help Africa. Finally, it is clear we need a green energy revolution for Africa.

This is the very message that I conveyed in the G20 two week ago in Seoul where the European Union was supporting a much greater focus on development and specifically on African issues.

This Summit also addressed the issues of peace and security, a matter on which we work very closely with the African Union Commission chaired by my good friend Jean Ping. I want to pay tribute to his leadership and the commitment of the African Union Commission.

The issues of peace and security, the very basics of economic renewal, are linked to governance. You cannot have economic development if the basic conditions for peace are not fulfilled. In the context of this summit, we naturally raised urgent issues of conflict prevention and crisis management. I would like to underline the important difference the African resolve and the European support can make in this field. In Sudan, for instance, the important referendum on self determination will be held in five weeks time. In this crucial moment we have to encourage all parties to live up to their commitments to a peaceful transition.

We very much support the African Union and the President of its Commission Jean Ping who will take the lead facilitating role in close coordination with the United Nations and international partners, including the full support of the European Union. Our support is reflected in the deployment of a European election observation mission as well as substantial capacity building measures in the South.

Ladies and Gentlemen,

This was a substantial Summit. When I compare it with other meetings we had in the past, this meeting was much more informal. The political atmosphere and dialogue have improved between Africans and Europeans. And we now have a joint programme with concrete targets and concrete goals. I therefore hope that Tripoli will be a very important catalyst and driver for further progress in the relationship between Africa and the European Union. I know that together we can achieve a lot.

Earlier in this Summit, I quoted that very old African proverb which says: "If you want to go fast, walk alone. But if you want to go far, walk together with others".

This is precisely the message of this Summit – let's stick together, Africans and Europeans. I believe that if we remain together, we can achieve great progress for the benefits of our peoples.

Related Document:  
Tripoli Declaration - 3rd Africa EU Summit, Tripoli, 29/30 November 2010. [Access here.](#)

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