

***Brussels, 7 November 2005***

Council conclusions on the Western Balkans

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2687th EXTERNAL RELATIONS Council meeting

The Council adopted the following conclusions:

**BOSNIA AND HERZEGOVINA**

1. The Council welcomed the Commission's communication on the state of preparations in Bosnia and Herzegovina for the negotiations of a Stabilisation and Association Agreement (SAA) with the European Union. The Council expressed its agreement with the Commission's conclusions and invited the relevant Council bodies to examine the Commission's proposed negotiating directives with a view to opening the negotiations as soon as possible.
2. The Council welcomed the significant progress made by Bosnia and Herzegovina with its reform agenda, and encouraged it to take full account of the points raised in the Commission's communication, the upcoming progress report and the European Partnership. The Council welcomed in particular the recent political agreement on police reform and called for its implementation to begin without delay. It also stressed the importance of the adoption and implementation of all necessary public broadcasting legislation.
3. The Council reaffirmed that the speed at which Bosnia and Herzegovina, like all the countries in the Western Balkans, moves closer to the European Union will depend on how quickly it adopts and implements the necessary reforms for it to become a fully functioning and viable State and conforms to the Copenhagen criteria and to the requirements of the Stabilisation and Association process, including full cooperation with the ICTY.
4. In this context, the Council, recalling United Nations Security Council Resolutions 1503 and 1534, expects co-operation with the ICTY to be strengthened until all those accused who continue to evade international justice are brought before the Tribunal.

## **SERBIA AND MONTENEGRO/KOSOVO**

5. The Council welcomed Ambassador Kai Eide's Comprehensive Review of the situation in Kosovo and expressed its full support for the UN Secretary General's intention to start a political process to determine Kosovo's future status.

6. The Council welcomed the UN Secretary General's intention to appoint Mr Martti Ahtisaari as UN Status Envoy, and Mr Albert Rohan as his deputy, and underlined the EU's support for his mandate and its intention to work closely with him.

7. The Council called on both Pristina and Belgrade to engage in good faith and constructively in this process to determine Kosovo's future status. All communities in Kosovo, including minorities notably Serbs, should play their part in this process.

8. The Council underlined the paramount importance of the ongoing implementation of Standards now and in the future. Of particular importance is the protection of minorities. The Council expressed its appreciation for the work of Mr Soren Jessen Petersen, the Special Representative of the UN Secretary General.

9. Recalling the EU's Thessaloniki agenda and the European Council's Declaration on Kosovo of 17 June 2005, the Council reaffirmed the European Union's determination to participate fully in the definition of the status of Kosovo and readiness to be closely involved in the negotiations and implementation of its future status. In this context, the Council reaffirmed its willingness to cooperate closely with relevant partners and other international organisations, including the OSCE which through its field presence plays an important role in Kosovo.

10. The Council welcomed Mr Martti Ahtisaari's readiness to cooperate closely with the EU. The Council endorsed the SG/HR's nomination of Mr Stefan Lehne as EU representative to the Kosovo future status process. Under the guidance of the SG/HR and the Council, the EU representative will support the UN Status Envoy in the implementation of his mandate and will provide regular and timely reports to the SG/HR and the relevant bodies of the Council. He will also contribute, under guidance of the Council and in close cooperation with the Commission, to preparations for the EU's future role in Kosovo.

11. In view of the possibility of the EU enhancing its engagement in Kosovo, the Council invited the HR/SG together with the Commission to continue their work in identifying the possible future EU role and contribution, including in the areas of police, rule of law and the economy, and to submit joint proposals to the Council in the near future.

12. The Council also welcomed the Commission's co-operation with UNMIK and the PISG to promote the progressive alignment of the Kosovo Standards and the priorities identified in the European Partnership with a view to fostering progress towards EU standards.

13. The Council reaffirmed that Kosovo's future status must be fully compatible with European values and norms, comply with international legal instruments and obligations and the United Nations Charter. The status settlement should aim at a Kosovo, where all – regardless of ethnic background - are free to live, work and travel without fear, hostility or danger and all citizens are treated equally and different cultures are respected. The settlement should protect the right of all refugees and displaced persons to return safely. It should also include specific safeguards to protect cultural heritage and religious sites. At the same time, agreement on status should ensure that Kosovo does not return to the pre-March 1999 situation. Any solution which was unilateral or resulted from the use of force, as well as any changes to the current territory of Kosovo would be unacceptable. There can also be no partition of Kosovo, nor any union of Kosovo with another country or with part of another country following the resolution of the status of Kosovo. The territorial integrity and the internal stability of neighbouring countries must be fully respected. Likewise, Kosovo's future status should enable it to develop in a way which is both economically and politically sustainable and ensure it does not constitute a military or security threat to its neighbours. The resolution of Kosovo's future status must enable both Belgrade and Pristina to make progress towards the European Union."