



Council of the
European Union

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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council
Subject: European Council meeting (26 and 27 October 2023)
– Draft conclusions

In accordance with Article 3(1) of the Rules of Procedure of the European Council, delegations will find attached the draft conclusions prepared by the President of the European Council, in close cooperation with the member of the European Council representing the Member State holding the six-monthly Presidency of the Council and with the President of the Commission.

I. UKRAINE

1. The European Council reiterates its resolute condemnation of Russia's war of aggression against Ukraine, which constitutes a manifest violation of the UN Charter, and reaffirms the European Union's unwavering support for Ukraine's independence, sovereignty and territorial integrity within its internationally recognised borders and its inherent right of self-defence against the Russian aggression.
2. The European Union will continue to provide strong financial, economic, humanitarian, military and diplomatic support to Ukraine and its people for as long as it takes.
3. In particular, the European Union will continue to provide sustainable military support to Ukraine, notably through the European Peace Facility [*p.m. possible adoption of the 8th set of assistance measures*] and the EU Military Assistance Mission. The European Council underlines the importance of Member States' efforts, in the immediate term, to accelerate the delivery of military support to Ukraine to help meet its pressing military and defence needs, including ammunition and missiles, as well as air defence systems to protect its people and its critical and energy infrastructure.

In the longer term, the European Union and Member States will contribute, together with partners, to future security commitments to Ukraine, which will help Ukraine defend itself, resist destabilisation efforts and deter acts of aggression in the future. The European Council invites the High Representative, after consultation with the Council, to engage with Ukraine on the EU's future security commitments and to present the outcome of those discussions to the European Council meeting in December.

All military support and security commitments will be provided in full respect of the security and defence policy of certain Member States and taking into account the security and defence interests of all Member States.

4. In the face of continued Russian attacks against Ukraine's civil and critical infrastructure, the European Union and its Member States will intensify the provision of humanitarian and civil protection assistance to Ukraine, including equipment such as power generators, power transformers, mobile heating stations, and high-voltage and lighting equipment, to help Ukraine and its people face yet another winter at war.
5. The European Union and its Member States will continue their intensified diplomatic outreach efforts and cooperation with Ukraine and other countries to ensure the widest possible international support for a comprehensive, just and lasting peace and the key principles and objectives of Ukraine's Peace Formula, with a view to holding a Global Peace Summit.
6. Russia is responsible for the massive damage caused by its war of aggression against Ukraine. Decisive progress is needed on the directing of windfall revenues held by private entities stemming directly from Russia's immobilised assets to support Ukraine's recovery and reconstruction, in accordance with EU and international law, and in coordination with partners. The European Council calls on the High Representative and the Commission to submit the necessary proposals. The European Union remains committed to supporting Ukraine's repair, recovery and reconstruction, in coordination with international partners, including the demining process. In this context, the European Council welcomes the outcome of the International Donors' Conference on humanitarian demining in Ukraine held in Zagreb, which includes support for an efficient governance of mine action.
7. Russia and its leadership must be held fully accountable for its war of aggression against Ukraine and other most serious crimes under international law. The European Council calls for work to continue, including in the Core Group, on efforts to establish a tribunal for the prosecution of the crime of aggression against Ukraine that would enjoy the broadest cross-regional support and legitimacy.

8. The European Council urges Russia and Belarus, in the strongest terms, to immediately ensure the safe return of all unlawfully deported and transferred Ukrainian children and other civilians.
9. Russia's ability to wage its war of aggression must be further weakened, including through sanctions, their full and effective implementation and the prevention of their circumvention, in close cooperation with partners and allies. The European Council condemns the continued military support for Russia's war of aggression provided by Iran and Belarus. It also urges all countries, notably the DPRK, not to provide material or other support for Russia's war of aggression.
10. Russia's unilateral decision to terminate the implementation of the Black Sea Grain Initiative and its deliberate attacks on Ukraine's grain storage and export facilities, as well as its hindering of the freedom of navigation in the Black Sea, show that Russia continues to weaponise food and undermine global food security. The European Council stresses the importance of security and stability in the Black Sea, vital for sustainable grain exports. It supports all efforts, including those of the UN, to facilitate exports of Ukraine's grain and other agricultural products to the countries most in need. The European Council calls for the capacity of the EU's Solidarity Lanes to be enhanced to facilitate transit and export to these countries and invites the Commission to propose new measures to that end.
11. The European Council welcomes the extension of the temporary protection for displaced persons from Ukraine until March 2025. The European Union is committed to continue supporting displaced persons, both in Ukraine and in the European Union, including through adequate and flexible financial assistance to the Member States who carry the largest burden of the medical, education and living costs of refugees.
12. The European Union will continue to support the Republic of Moldova in addressing the challenges it faces as a consequence of the Russian aggression against Ukraine.

II. MULTIANNUAL FINANCIAL FRAMEWORK 2021-2027

13. Following its in-depth exchange of views on the proposed revision of the Multiannual Financial Framework 2021-2027, the European Council invites the Council to take work forward, with a view to reaching an agreement by the end of the year.

III. ECONOMY

14. In the face of increasingly complex challenges, a changing demographic landscape and growing global competition, triggering protectionist reactions, the European Union needs a strong economic base that ensures its long-term competitiveness and a level playing field, with an efficient Single Market at its core. The European Union needs to strengthen its industrial and technological base and enhance its economic resilience and productivity.

In assessing progress achieved so far, the European Council underlined the need to accelerate work on:

- a) developing the EU's competitive edge in digital and clean technologies, including by focusing on innovation, research, education and skills;
- b) securing a sufficient supply of affordable energy;
- c) reducing key critical dependencies and diversifying supply chains through strategic partnerships;
- d) addressing the regulatory burden; and
- e) fostering the transition towards a more circular economy.

15. The European Council:

- a) calls on the co-legislators to reach a prompt agreement on the Critical Raw Materials Act, the Net-Zero Industry Act and the reform of the Electricity Market Design;
- b) in view of the recommendation on critical technology areas, calls for work to start on joint risk assessments;
- c) invites the Commission and Member States to further improve framework conditions for investment, including through a regulatory framework and a business environment more conducive to fostering competitiveness, and by reducing the unnecessary administrative burden, including reporting requirements, notably for SMEs; [*p.m. regulatory burden proposal*]
- d) invites the Commission to continue to work intently on addressing the distortive effects of subsidies by global actors, including of the US Inflation Reduction Act; [*p.m. report of the Commission*]
- e) recalls its invitation to the Commission to report to the Council on the impact of the current State aid policy on the Single Market as well as on the EU's global competitiveness.

IV. MIGRATION

16. The European Council held a strategic discussion on migration.

V. OTHER ITEMS

17. The European Council extends its deepest condolences to and expresses solidarity with the victims of the recent natural disasters and extreme weather events.

18. The increased frequency and intensity of extreme weather events highlight the urgency of the global response to the climate emergency. Climate adaptation efforts are key to strengthening the Union's resilience and crisis response capacity. The European Council took stock of preparations for the 2023 United Nations Climate Change Conference in Dubai (COP28) and called for increased global action and ambition, underlining that, in line with reports from the Intergovernmental Panel on Climate Change, limiting warming to around 1.5 °C requires global greenhouse gas emissions to peak at the latest before 2025.
19. In view of the damage to critical infrastructure in the Baltic Sea caused by external activity, the European Council stresses the need for effective measures to strengthen the resilience and ensure the security of critical infrastructure. It further underlines the importance of a comprehensive approach to the EU's crisis response and preparedness, ensuring that all sectors contribute to an all-hazards approach.
20. The European Council held a strategic discussion on the situation in the Sahel. It expresses its concern about the continuing deterioration of security in the Sahel, aggravated by political instability. The European Council underlines that the stability of the Sahel and the wider region, including neighbouring coastal states, is crucial for the EU's security and prosperity. The European Union will remain engaged with key partners in the region that want to work with it and with regional organisations, notably ECOWAS. The European Council calls for the immediate release of President Bazoum and his family.

p.m.: South Caucasus

*p.m.: Serbia-Kosovo**

p.m.: Middle East

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.