



Council of the
European Union

Brussels, 24 October 2023
(OR. en)

12585/23

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CO EUR-PREP 32

NOTE

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

Delegations will find below revised draft conclusions of the European Council.

12585/23

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1. 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, including the swift adoption of the 8th set of assistance measures, and the EU Military Assistance Mission. The European Council underlines the importance of Member States' bilateral efforts and, in the immediate term, the need to accelerate the delivery of military support to Ukraine to help meet its pressing military and defence needs, including missiles and ammunition, notably under the one million rounds of artillery ammunition initiative, 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, with the guidance of the Council, to consult with Ukraine on the EU's future security commitments and to report back on those discussions at the European Council meeting in December.

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 a Global Peace Summit being held.
6. Russia is responsible for the massive damage caused by its war of aggression against Ukraine. Decisive progress is needed, in coordination with partners, on how any extraordinary revenues held by private entities stemming directly from Russia's immobilised assets could be directed to support Ukraine and its recovery and reconstruction, in accordance with EU and international law. The European Council calls on the High Representative and the Commission to accelerate work with a view to submitting 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 on 11 and 12 October 2023, which includes support for the efficient governance of mine action.

7. Russia and its leadership must be held fully accountable for waging a 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, and towards the establishment of a future compensation mechanism. Moreover, the European Council expresses its support for the work of the International Criminal Court and condemns the Russian attempts to undermine its international mandate and functioning.
8. The European Council condemns in the strongest terms Russia's unlawful deportation and transfer to Russia and Belarus of Ukrainian children and other civilians, and urges Russia and Belarus to immediately ensure their safe return.
9. Russia's ability to wage its war of aggression must be further weakened, including by further strengthening sanctions, and through their full and effective implementation and the prevention of their circumvention, especially for high-risk goods, 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. The European Union will intensify its work with partners to counter false Russian narratives and disinformation about the war.
10. The European Union is deeply concerned about the announced intention of the Russian Federation to revoke its ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

11. 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 actions to hinder 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, notably in Africa and the Middle East. The European Council calls for the capacity of the EU's Solidarity Lanes to be further enhanced to facilitate transit and export to these countries and invites the Commission to propose new measures to that end.
12. The European Council welcomes the extension of the temporary protection for displaced persons from Ukraine until March 2025. The European Union remains committed to 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.
13. 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.
14. The European Union will continue to work closely with Ukraine, the Republic of Moldova and Georgia and support their reform efforts on their European paths.

II. MIDDLE EAST

15. Reaffirming the Statement of its Members of 15 October 2023, the European Council reiterates its condemnation in the strongest possible terms of Hamas for its brutal and indiscriminate terrorist attacks across Israel. The use of civilians as human shields by Hamas is a particularly deplorable atrocity. The European Council strongly emphasises Israel's right to defend itself in line with international law and international humanitarian law. It reiterates its call on Hamas to immediately release all hostages without any precondition. The European Council reviewed the state of play and the follow-up on the different strands of action.
16. The European Council expresses its gravest concern for the deteriorating humanitarian situation in Gaza and calls for continued, rapid, safe and unhindered humanitarian access and aid to reach those in need through all necessary measures including a humanitarian pause. The European Council condemns in the strongest terms all violence and hostilities against civilians. The European Union will work closely with partners in the region to protect civilians, support those who are trying to get to safety or provide assistance, and facilitate access to food, water, medical care, fuel and shelter.
17. The European Council recalls the need to avoid regional escalation and to engage with partners in this respect including with the Palestinian Authority.
18. The European Union is ready to contribute to reviving a political process on the basis of the two-state solution, including through the Peace Day Effort, and welcomes diplomatic initiatives such as an inclusive Peace Summit initiated by Egypt.

III. MULTIANNUAL FINANCIAL FRAMEWORK 2021-2027

19. 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 overall agreement by the end of the year.

IV. ECONOMY

20. In the face of increasingly complex challenges, including a changing demographic landscape and growing global competition, the European Union needs a strong economic base that ensures its long-term competitiveness and a level playing field both internally and globally, with a fully functioning Single Market and its four freedoms at its core. The European Union needs to strengthen its industrial and technological base and enhance its economic resilience, secure connectivity, global market access 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 clean and affordable energy;
 - c) reducing key critical dependencies and diversifying supply chains through strategic partnerships;
 - d) fostering the transition towards a more circular economy; and
 - e) reducing the regulatory burden.
21. 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) calls for swift follow-up to the recent Commission communication on addressing medicine shortages in the European Union;

- c) calls for work to start on joint risk assessments, in view of the recommendation on critical technology areas;
- d) invites the Commission and Member States to further improve framework conditions for investment, including through a common, clear and coherent regulatory framework and a business environment that are more conducive to competitiveness. The European Council calls on all relevant institutions to take forward work to simplify regulation and reduce the unnecessary administrative burden, including reporting requirements, notably for SMEs and start-ups. It also calls on the Commission to develop additional proposals in this regard, seizing the opportunities of the data economy and standardised business data;
- e) invites the Commission to work intensively on mitigating the problematic and discriminatory elements of the US Inflation Reduction Act (IRA), including by ensuring that the European Union is granted the equivalent status of an FTA partner under the provisions of the IRA, and to continue work on addressing other distortive effects of tariffs and subsidies by global actors on competition;
- f) invites the Commission and the co-legislators to complete the implementation of the European Council conclusions of 9 February and 23 March 2023 and to adopt further measures that would be deemed necessary to enhance the EU's competitiveness and attractiveness for investment;
- g) recalls its invitation to the Commission to report to the Council on the impact of the current State aid policy on the integrity of the Single Market as well as on the EU's global competitiveness; and
- h) invites the Council to take work forward on the Economic Governance Review, with a view to concluding legislative work in 2023.

V. MIGRATION

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

VI. OTHER ITEMS

23. The European Council strongly condemns the recent terrorist attacks in France and Belgium killing and injuring Swedish and French nationals. The European Union stands united and firm in the fight against terrorism, hatred and violent extremism of all kinds. The European Council calls on the institutions and Member States to engage in concerted efforts to mobilise all relevant policy areas at national and EU level to enhance internal security, including by strengthening law enforcement cooperation, information exchange through the full use of relevant databases, protection of the external borders, fight against smugglers and close cooperation with third countries.
24. The European Council extends its deepest condolences to and expresses solidarity with the victims of the recent natural disasters and extreme weather events in EU Member States and in third countries.
25. The increased frequency and intensity of extreme weather events highlight the urgency of the global response to the climate emergency. Climate adaptation and mitigation efforts are key to strengthening the EU's resilience and crisis response capacity. Recalling the Council conclusions of 16 and 17 October 2023, the European Council took stock of preparations for the 2023 United Nations Climate Change Conference in Dubai (COP28) and calls 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. The European Council calls for the broadest support to the Global Renewables and Energy Efficiency Pledge to be put forward by the European Union at COP28.

26. 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 and coordinated approach to the preparedness and crisis response of the European Union ensuring that all sectors contribute to an all-hazards approach.
27. The European Council is deeply concerned about the security situation in the north of Kosovo*. It strongly condemns the violent attack against Kosovo Police on 24 September 2023. The European Union expects the perpetrators to be apprehended and swiftly brought to justice and Serbia to fully cooperate and take all the necessary steps in this regard. Kosovo and Serbia must pursue sustained de-escalation efforts, as well as ensure the holding of new elections in the north of Kosovo as soon as possible, with the active participation of Kosovo Serbs. Failure to de-escalate the tensions will have consequences. The European Council regrets the lack of implementation by both Parties of the Agreement on the path to normalisation and its Implementation Annex as well as other agreements reached in the EU-facilitated Dialogue, led by the High Representative and supported by the EU Special Representative. It calls on Kosovo and Serbia to implement them, without delay or preconditions. This includes the establishment of the Association/Community of Serb Majority Municipalities. Normalisation of relations is an essential condition on the European path of both Parties and both risk losing important opportunities in the absence of progress.
28. The European Union will continue to work closely with the Western Balkans and support their reform efforts on their European paths.

* 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.

29. The European Council underlines its continued support for advancing a sustainable and lasting peace between Armenia and Azerbaijan based on mutual recognition of sovereignty, the inviolability of borders and territorial integrity. It supports the Brussels normalisation process and calls on the Parties to engage in good faith and to finalise this process by the end of this year.
30. The European Council held a strategic discussion on the situation in the Sahel. It expresses its concern about the continuing deterioration of the security situation 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 security and prosperity of the people living in the Sahel as well as for the EU. The European Union will remain engaged in support of ECOWAS and with key partners in the region. The European Council invites the High Representative and the Commission to present options for adapting EU action and relevant instruments to the current situation in the region. The European Council calls for the immediate release of President Bazoum and his family.
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