



Council of the
European Union

Brussels, 11 October 2022
(OR. en)

11951/22

LIMITE

CO EUR-PREP 22

NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: European Council meeting (20 and 21 October 2022)
– 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 / RUSSIA

Russia's escalating aggression

1. The European Council addressed Russia's escalating war of aggression, which is putting European and global peace and security at risk.

The European Council strongly condemns the recent Russian indiscriminate missile attacks against civilians in Kyiv and across Ukraine.

2. Recalling its statement of 30 September 2022 the European Council reiterates its unequivocal condemnation and firm rejection of the illegal annexation by Russia of Ukraine's Donetsk, Luhansk, Zaporizhzhia and Kherson regions. As in the case of Crimea, the European Union will never recognise this illegal annexation.
3. Russia's unilateral decisions deliberately violate the UN Charter and blatantly disregard the rules-based international order. They do not give Russia a legitimate basis for any action on the territory of Ukraine. The European Council, in line with the ruling of the UN International Court of Justice, demands that Russia immediately, completely and unconditionally withdraw all of its troops and military equipment from the entire territory of Ukraine and refrain from hybrid activities on Ukraine's territory.
4. War crimes committed against Ukrainians, of which there is growing evidence, and the continuous destruction of civilian infrastructure are a gross violation of international law. The European Union reiterates its firm commitment to holding Russia and all perpetrators to account. The European Council notes Ukraine's efforts to secure accountability and its call for a Special Tribunal to be established for the crime of aggression against Ukraine. It invites the High Representative and the Commission to explore options so that a fair and effective trial against perpetrators can be ensured.

5. The European Council reaffirms its full support for Ukraine's independence, sovereignty and territorial integrity. In line with the UN Charter and international law, Ukraine is exercising its inherent right of self-defence against the Russian aggression. It has the right to liberate and regain full control of all occupied territories within its internationally recognised borders. The European Council sees Russia's threats as a further escalation of the conflict.
6. The European Union is undeterred and will stand with Ukraine for as long as it takes. It will continue to provide political, military and financial support to Ukraine, including for its liquidity needs, and step up its humanitarian response, including for winter preparedness. The European Council calls for the speedy adoption of the remaining EUR 3 billion in macro-financial assistance for Ukraine. It invites the Commission to use the full potential of the Single Market to support Ukraine. The European Council welcomes the agreement on the deployment of an EU military advisory mission in support of Ukraine.
7. The European Union is determined to support Ukraine's reconstruction, together with international partners and financial institutions. Ahead of the Berlin conference on 25 October 2022, the European Council discussed the governance and financing of reconstruction efforts, including conditionality.
8. The European Union has strengthened its restrictive measures against Russia. The European Council discussed how to further increase collective pressure on Russia to end its war of aggression.

Food security

9. Russia's war of aggression has sparked a global food crisis triggering disruptions of agricultural production, supply chains and trade that have driven world food and fertiliser prices to unprecedented levels. The European Union will continue to facilitate the export of Ukrainian agricultural products via the Solidarity Lanes and global access to agricultural products and fertilisers for the countries most in need. The European Council supports the call of the United Nations Secretary-General for the extension of the UN Black Sea Grain Initiative beyond its current period ending in November.

Critical infrastructure

10. The European Council strongly condemns the acts of sabotage against critical infrastructure, such as those against the Nord Stream pipelines. The European Union will meet any deliberate disruption of critical infrastructure or other hybrid actions with a united and determined response. The European Council calls on the Council Presidency to step up efforts to facilitate cooperation among Member States for the protection of critical infrastructure, and invites Member States to strengthen their preparedness, including through the early implementation of the Directive on the Resilience of Critical Entities.

II. ENERGY

11. Russia is weaponising energy to weaken the resolve and economic power of the European Union. Efforts to reduce demand, to ensure security of supply, and to alleviate the impact of high prices on consumers need to be continued and intensified.
12. In light of the ongoing crisis, the European Council has agreed on the following set of measures:
 - speed up negotiations with reliable partners to seek mutually beneficial partnerships that ensure security of supply and lead to lower import prices for the European Union, notably through the EU Energy Platform, making full use of the Union’s collective political and market weight;
 - coordinate efforts to prepare the next filling season;
 - develop a new benchmark that more accurately reflects conditions on the gas market;
 - *pm: address liquidity issues and excessive volatility in energy markets*
 - *pm: temporary market intervention*

13. The European Council invites the Commission to work swiftly on the structural reform of the electricity market and calls for further progress towards a full Energy Union serving the dual objective of European energy sovereignty and climate neutrality.

III. ECONOMIC ISSUES

14. The European Council addressed the economic situation. Russia's weaponisation of energy is weighing on growth and exerting upward pressure on prices. We are determined to mitigate the impact on our citizens and businesses.
15. Our priority is to protect the most vulnerable in our societies while preserving Europe's global competitiveness and maintaining the level playing field and the integrity of the Single Market. All relevant tools at national and EU level should be mobilised to enhance the resilience of our economies. We are committed to close coordination of our policy responses while remaining ready to develop common European level solutions, as needed.

IV. EXTERNAL RELATIONS

16. The European Council discussed the European Union's relations with Asia and preparations for the upcoming EU-ASEAN Commemorative Summit on 14 December 2022. The Summit will be an opportunity to further deepen the EU's Strategic Partnership with ASEAN and to underline our shared attachment to international law and internationally agreed norms and standards, as well as to emphasise the importance of common interests that bind our two regions in a longstanding partnership. It also held a strategic discussion on the European Union's relations with China.

17. The European Council took stock of preparations for the 2022 United Nations Climate Change Conference in Sharm El-Sheikh (COP27) and stressed the extreme urgency of strengthening the global response to address the climate emergency in the face of increasingly intense and frequent extreme weather events, including heat waves, wildfires and floods, across the globe. Ahead of the 15th Conference of the Parties to the Convention on Biological Diversity (Part Two) in Montreal, the European Council also called for the adoption of an ambitious, comprehensive and transformative post-2020 global biodiversity framework to halt and reverse biodiversity loss.
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