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## OUTCOME OF THE COUNCIL MEETING

3673rd Council meeting

### Foreign Affairs

Brussels, 18 February 2019

President **Federica Mogherini**  
High Representative for Foreign Affairs and Security  
Policy

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's internet site or may be obtained from the Press Office.

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## **ITEMS DEBATED**

### **Current affairs**

Foreign ministers welcomed the entry into force of the Prespa Agreement which allows for the change of name of North Macedonia. They briefly discussed the situation in the Democratic Republic of Congo.

### **Horn of Africa**

The Council discussed the Horn of Africa. The High Representative informed ministers about her visit to the region the previous week. Foreign ministers welcomed the historic Ethiopia-Eritrea peace agreement. They discussed how the EU can support this unprecedented opportunity to accelerate reconciliation and economic integration in the Horn of Africa. They reaffirmed the EU's engagement in the region, which still faces important challenges, not least the security situation in Somalia. They also highlighted the need to keep a strong focus on the respect for human rights, as well as on the situation of migrants who embark on perilous journeys, sometimes at a very young age.

### **Ukraine**

The Council had a comprehensive discussion on Ukraine, covering the reform process as well as the security and humanitarian situation, in particular in eastern Ukraine and the Sea of Azov. The Council reiterated its full support for Ukraine's independence, territorial integrity and sovereignty and continued condemnation of the illegal annexation of Crimea and Sevastopol by the Russia.

Foreign ministers acknowledged the important progress Ukraine has accomplished in key areas over the past five years. They highlighted the need to maintain the reform momentum to ensure the long term sustainability of what has been results achieved, in particular in the context of upcoming parliamentary and presidential elections.

The Council also expressed the importance of ensuring that the elections in Ukraine are well-conducted. They highlighted the importance of ensuring that the OSCE election observation mission can conduct its work and can observe the elections in full accordance with its usual practice.

Ministers exchanged views on how the EU can help, following the developments in the Azov Sea and Kerch strait region, particularly through strengthened support in the affected areas, including in sectors such as railway and road connections, training, and support for SMEs. They reiterated the EU's call for all detained Ukrainian seamen to be immediately released as well as for the return of the seized vessels and free passage of all ships through the Kerch Straits.

## **Syria**

The Council discussed the situation in Syria. Foreign ministers reiterated the EU's full and continued support for UN Special Envoy Geir Pedersen's efforts and the Geneva UN-led peace process for Syria, which remains key to the implementation of UN Security Council Resolution 2254, for a credible political transition in Syria as the only sustainable long term solution to the conflict. Ministers reiterated that the EU will be ready to assist in the reconstruction of Syria only when a comprehensive, genuine and inclusive political transition is firmly under way.

Ministers discussed preparations for the "Brussels 3" conference "Supporting the future of Syria and the region", which will take place on 12-14 March, and remains key to continue mobilising the international community behind humanitarian and resilience efforts for the Syrian people and host communities. The High Representative highlighted that the conference would have an even greater focus on the role of civil society and women, and that the issues of accountability and the fight against immunity will feature prominently.

[Supporting the future of Syria and the region - Brussels conference, 12-14/03/2019](#)

## **Venezuela**

Over lunch, foreign ministers discussed the situation in Venezuela, following the first meeting of the International Contact Group in Montevideo on 7 February and ahead of the technical mission to Caracas led by the EU and Uruguay. The mission will work on the assessment of the support that can be given to open the way for a democratic and peaceful outcome to the crisis, and, in particular, the holding of early presidential elections.

Foreign ministers also stressed that humanitarian aid should be delivered to the people in need and cannot be used for political purposes that are different from international humanitarian law.

[Venezuela: the Council's response to the crisis](#)

**OTHER ITEMS APPROVED****FOREIGN AFFAIRS****Conclusions on Yemen**

The Council today adopted conclusions on Yemen. The EU reaffirms its commitment to the unity, sovereignty, independence and territorial integrity of Yemen.

The EU welcomes the "Stockholm Agreement" reached between representatives of the Yemeni parties under the auspices of the United Nations in December 2018. The EU and its member states will continue to engage actively with all the parties to the conflict and are committed to further support the UN-led political process, including through political dialogue with relevant regional actors, with the aim of continuing to produce tangible results, ending the conflict and fostering an improved regional environment.

The EU reaffirms that only a negotiated and inclusive political solution can end the conflict in Yemen. The EU calls on all parties to maintain their commitment to the UN-led process in view of the upcoming talks, and reiterates that sustainable peace can only be achieved through negotiations involving the meaningful participation of all parties concerned, including civil society, women and youth.

At this critical juncture for the future of Yemen, the Council reiterates the EU's full support for the UN-led political process and the work of UN Special Envoy Martin Griffiths and of the United Nations mission to support the Hodeidah Agreement (UNMHA). The EU has contributed with over 560 million euros of assistance since the beginning of the conflict.

[Read the full text of the Council conclusions on Yemen](#)

## Conclusions on climate diplomacy

The Council today adopted conclusions on climate diplomacy. The Council recalls that climate change is a direct and existential threat, which will spare no country. The Council notes that the world is already witnessing multiple devastating impacts of climate change, yet action to stem it remains insufficient.

The EU reaffirms its steadfast commitment to the Paris Agreement as the essential multilateral framework governing global action to deal with climate change and welcomes the positive outcome of the 24th Conference of Parties to the United Nations Framework Convention on Climate Change (COP 24).

The Council reiterates that ambition in climate action is not only about reducing greenhouse gas emissions, it is also about addressing the implications of climate change on peace and security.

The Council recalls that 2019 is a critical year for accelerating domestic climate action and raising global ambition in the context of the pursuit of sustainable development, with leadership from the United Nations.

The EU's leadership on climate action is founded on a progressive stance at home. The Council welcomes the European Commission's strategic long-term vision for a prosperous, modern, competitive and climate-neutral economy.

The Council reconfirms that the EU will continue to lead the way in the global pursuit of climate action and will work towards further enhancing international climate cooperation.

[Read the full text of the Council conclusions on climate diplomacy](#)

## **Conclusions on EU priorities in UN human rights fora in 2019**

The Council today adopted conclusions on EU priorities in UN human rights fora in 2019. It reaffirms the EU's commitment to promoting and protecting human rights, democracy and the rule of law, which also play a key role in ensuring peace and sustainable security.

The EU will continue to denounce human rights violations and abuses wherever they are committed, to call on states and non-state actors to prevent them and bring them to an immediate end, as well as to seek justice and accountability.

The EU will use all available tools and fora to fulfil its commitments to human rights and promote human rights globally, including in the framework of the United Nations Human Rights Council, the United Nations General Assembly, the United Nations Security Council and any other relevant fora, consistent with the EU Treaty and the UN Charter.

The EU reiterates that all human rights are to be realised worldwide, whether they are civil and political rights, or economic, social and cultural rights, and that there is no hierarchy of human rights.

Council conclusions on EU priorities at UN human rights fora are adopted on a yearly basis.

[Read the full text of the Council conclusions on EU priorities in UN Human Rights Fora in 2019](#)

## **Sanctions on Zimbabwe**

The Council renewed for one year the restrictive measures against Zimbabwe. The sanctions consist of an arms embargo as well as a travel ban and an asset freeze to listed individuals and entities.

The restrictive measures will continue to apply to former Zimbabwean president Robert Mugabe, his wife Grace Mugabe, and Zimbabwe Defense Industries. The Council also decided that measures against five high ranking members of the security apparatus will remain suspended for three of them and will be withdrawn for the two other.

Restrictive measures were adopted as a response to activities that undermine democracy, human rights and the rule of law in Zimbabwe. They were initially introduced on 18 February 2002.

## **Sanctions on Al Qaida and ISIL**

The Council added one person to the list of persons and entities targeted by the EU restrictive measures against ISIL (Da'esh) and Al-Qaeda and persons, groups, undertakings and entities associated with them, bringing the total number of persons currently on the list to 3. This EU sanctions regime, created on 20 September 2016, complements the sanctions imposed by the United Nations on ISIL/Da'esh and Al-Qaida.

[Fight against terrorism: EU strengthens its legal arsenal against ISIL/Da'esh and Al-Qaida](#)

## **Sanctions in view of the situation in Afghanistan**

The Council transposed into EU law amendments adopted by the UN related to two individuals subject to restrictive measures in view of the situation in Afghanistan.

## **Relations with Jordan**

The Council approved and authorised the signing of an agreement on a framework for the participation of Jordan in EU crisis management operations.

The agreement sets down general conditions regarding the participation of Jordan in EU crisis management operations, avoiding a case-by-case definition. The agreement sets out specific conditions for cost sharing, participations mechanisms, the status of forces, chain of command, as well as for participation in military crisis management operations.

It will enter into force on the first day of the first month after the EU and Jordan have notified each other of the completion of their internal legal procedures.

## **Common military list of the European Union**

The Council adopted the updated common military list of the EU in line with the provisions of Common Position 2008/944/CFSP on arms exports.

The list lays down the scope of reference for member states' arms export control systems and covers the full range of military items that must be licensed by national authorities before being possibly exported.

The Council adopted the first common military list of the European Union on 13 June 2000. The list is regularly reviewed, taking into account, where appropriate, similar national and international lists. The list is a reference point for member states' national military technology and equipment lists, without, however, replacing them.

## **COMMON SECURITY AND DEFENCE POLICY**

### **Joint Civil-Military Concept of Operations on Regionalisation of CSDP action in the Sahel**

The EU supports the efforts the G5 Sahel countries in the fight against terrorism, organised crime and any other threat to security and peace. The EU wants to reinforce its regional approach in the Sahel with the aim of supporting cross-border cooperation, regional cooperation structures, and, in this context, of enhancing national capacities of the G5 Sahel countries. Stability in the Sahel region is also key for European security.

Today, the Council decided to make more effective, at regional level, the work of the EU Common Security and Defence Policy (CSDP) missions in the Sahel: EUCAP Sahel Mali, EUCAP Sahel Niger and EUTM Mali. It approved a joint civil-military concept of operations on regionalisation of CSDP action in the Sahel. This means that the process of regionalisation will now enter its second phase.

See [press release](#) for more details.

## **ECONOMIC AND FINANCIAL AFFAIRS**

### **Recognition and enforcement of intra-EU investment arbitration awards**

The Council authorised the Commission to intervene on behalf of the EU before US Courts regarding the recognition and enforcement of intra-EU investment arbitration awards.

In the case in question, the decisive question for the US judge hearing the case may be the impact of the judgment in the Achmea case on the applicability or the validity of a possible offer made by Spain to investors from other member states to submit disputes to investor-state arbitration.

The aim of the Commission's intervention is to set out why and how primary EU law as interpreted by the ECJ in the judgment in Achmea, from the point of view of EU law and public international law, has as consequence that there is no valid offer to arbitrate in intra-EU investment arbitration proceedings. The position is in line with the position taken by the Commission in Commission decisions and its Communication "[Protection of intra-EU investment](#)" . (6146/19)

**JUSTICE AND HOME AFFAIRS****Migration and refugee issues - dialogue with Iran**

The Council endorsed a framework for a comprehensive dialogue between the EU and Iran on migration and refugee issues (5983/19). This dialogue will be an opportunity to deepen cooperation at the bilateral level and to seek ways to address, based on the principles of partnership, shared responsibility and solidarity, matters relating to migration and refugees.

The text will now be signed by the European Commission on behalf of the EU.

**Immigration liaison officers network - UK opt out**

The Council adopted a decision on the UK opt out from the recast of the regulation on the creation of an immigration liaison officers network (5979/19)

**TRANSPORT****International Civil Aviation Organisation (ICAO) – coordination**

The Council approved an information note containing recommended EU positions for the ICAO Council meeting on 18 February to 15 March 2019, so that the information note can be used as the basis for the interventions of the representatives of the EU countries which are members of the ICAO Council.

**Council Decision on Amendment 17 to the Annex 13 to the Chicago Convention (ICAO)**

The Council adopted a decision on the position to be taken on behalf of the EU in the ICAO Council, in respect of the adoption of Amendment 17 to Annex 13.

The purpose of the amendment is to modify Annex 13 of the Chicago Convention, which deals with aircraft accident and incident investigation. The amendment introduces changes in the areas of timely investigation of accidents and serious incidents, and release of the final report; definition for “Accredited representative”; alignment of provisions on notification, and dissemination of Final Reports; facilitation of the entry of investigators; rights and entitlement of an expert; consultation of draft safety recommendations; list of examples of serious incidents; and delegation of investigation. (5995/19)