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## **PRESS RELEASE**

3078th Council meeting

### **Foreign Affairs**

Brussels, 21 March 2011

President

**Catherine ASHTON**

High Representative of the Union for Foreign Affairs and  
Security Policy

# **P R E S S**

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## **Main results of the Council**

*The Council had an in-depth discussion on the situation in **Libya**. It expressed satisfaction at the adoption of UN Security Council Resolution 1973 and underlined the EU's determination to contribute to its implementation and to continue to provide humanitarian assistance. It expressed the EU's readiness to provide Common Security and Defence policy (CSDP) support to humanitarian assistance under the UN's coordination. The Council also extended the EU asset freeze and travel ban to a number of additional individuals and entities.*

*The Council discussed developments in the EU's **Southern Neighbourhood**, including **Yemen** and **Bahrain**. It adopted conclusions on each of these two countries expressing its utmost concern at the situation and calling for dialogue.*

*The Council froze the funds and economic resources of 19 persons in **Egypt** - including former president Hosni Mubarak - deemed responsible for the misappropriation of Egyptian state funds.*

*The Council took stock of the situation in **Japan** and discussed the coordination of the EU's response to the crisis. It declared its readiness to provide any assistance requested.*

*The Council also adopted conclusions on the **Sahel** region, **Somalia**, **Bosnia and Herzegovina** and **Iran**.*

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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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Mr Štefan FÜLE

Member

Mr Andris PIEBALGS

Member

Ms Kristalina GEORGIEVA

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**ITEMS DEBATED****JAPAN**

The Council took stock of the crisis in Japan and discussed the EU's coordination of its response, following the request by the European Council of 11 March to the High Representative and the Commission to mobilise all appropriate assistance. Commissioners Piebalgs and Georgieva briefed the Council on the public health situation and the requirements for humanitarian assistance. The Hungarian Presidency reported on the extraordinary Energy Council convened for today. The Council reiterated the EU's support and sympathy for the Japanese people.

**LIBYA**

The Council held an in-depth discussion on the situation in Libya and adopted the following conclusions:

- "1. The Council expresses its concern at the present situation in Libya and condemns the gross and systematic violation of human rights, violence and brutal repression perpetrated by the regime against the Libyan people. It recalls the UNSC decision to refer these issues to the ICC. It confirms that the EU's main aim is the protection of the civilian population and support for the possibility for the Libyan people to realise their aspirations for a democratic society. To this end Colonel Gaddafi has to relinquish power immediately.
2. The Council expresses its satisfaction after the adoption of UNSCR 1973 and underlines its determination to contribute to its implementation. It also welcomes the Paris Summit as a decisive contribution to its implementation. While contributing in a differentiated way, the EU and its Member States are determined to act collectively and resolutely, with all international partners, particularly the Arab League and other regional stakeholders, to give full effect to these decisions.
3. The Council has adopted today additional further restrictive measures against the Libyan leadership in the form of additional autonomous designations of person and entities with a view to preventing further funding of the regime. On the basis of the UNSC Resolution, the Council is working on the further strengthening of the measures with a view to their adoption ahead of the European Council on 24/25 March 2011.
4. The Council and the EU Member States will support actions provided for by UNSCR 1973 necessary to protect civilians and civilian populated areas under threat of attack. It notes that the EU will continue to provide humanitarian assistance to all those affected. The EU recalls its readiness to help Libya build a constitutional state and develop the rule of law.
5. The EU is ready to provide CSDP support to humanitarian assistance in response to a request from OCHA and under the coordinating role of the UN. Such actions will fully respect the UN guidelines on the use of military and civil defence assets (MCDA).



6. The Council asks the High Representative to develop further planning in accordance with UNSC Resolution 1973 and the European Council Declaration of 11 March 2011, on support for humanitarian assistance/civil protection operations including by maritime means for this purpose. This should be in close co-ordination and complementarity with the UN, NATO and others. As part of this process, the Council invites the High Representative to continue contacts with the UN Secretary-General and countries of the region, including Egypt and Tunisia. This process should be undertaken as a matter of urgency in order to allow further consideration by the Council by the end of the week. It took note of the offer by Italy to provide OHQ.
7. The EU and the Member States underline once more their solidarity as regards those Member States most directly concerned by migratory movements and reiterate their readiness to provide the necessary support as the situation evolves, in line with the European Council declaration."

The Council also added a further 11 individuals to the EU travel ban and asset freeze list and a further nine entities to the asset freeze list. (see p. 19).

## **DEVELOPMENTS IN THE SOUTHERN NEIGHBOURHOOD**

The Council discussed the wider region, in particular **Yemen** and **Bahrain**, and had a brief exchange of views on Egypt and Tunisia.

The Council adopted the following conclusions on **Yemen**:

"The Council expresses its utmost concern at the situation in Yemen and the increasing level of violence. It strongly condemns the use of force against protestors and deeply deplores the injuries and loss of life caused. It urges the security forces to refrain from the use of violence immediately. Should the safety of demonstrators not be ensured, the Council and Member States will review their policies towards Yemen. The Council calls on all parties concerned to ensure respect for humanitarian aid principles and provide unimpeded access to people in need.

It is the responsibility of the Yemeni authorities to ensure respect for all human rights and fundamental freedoms. Those responsible for loss of life and injuries caused should be held accountable for their actions and brought to justice.

To achieve an orderly political transition, the Council urges the government of Yemen and all parties to engage in constructive, comprehensive and inclusive dialogue, without delay.

The EU reiterates its view that political and economic reforms are essential for the future of Yemen and remains ready to support the Yemeni people in this respect."

The Council adopted the following conclusions on **Bahrain**:

"The Council is extremely concerned at the serious and deteriorating situation in Bahrain, and deplores the loss of life and the escalation of violence. The European Union urges all security forces in the country not to use violence against the demonstrators. It calls on demonstrators to refrain from deliberately intimidating actions.

The Council is equally concerned by reports that opposition figures have been arrested. The Government and the security forces must respect and protect the human rights of peaceful protestors, including freedom of expression and freedom of assembly. The authorities must also ensure full access for all to emergency medical treatment in accordance with international standards.

The Council also calls on all parties to enter into meaningful and constructive dialogue without delay or preconditions, with a view to bringing about reforms."

**BOSNIA AND HERZEGOVINA**

Ministers discussed the situation in Bosnia and Herzegovina over lunch and the Council adopted the following conclusions:

- "1. The Council reiterates its unequivocal commitment to Bosnia and Herzegovina's EU perspective, as agreed at the 2003 Thessaloniki European Council. The EU will continue to assist Bosnia and Herzegovina in this regard, including through a strengthened presence. The Council reaffirms its unequivocal commitment to the territorial integrity of Bosnia and Herzegovina as a sovereign and united country.
2. The Council believes that anchoring the EU agenda at the core of the political process in Bosnia and Herzegovina and addressing the political criteria are essential for progress. The Council expresses its deep concern that governments have not yet been formed at every level in Bosnia and Herzegovina. It calls on the political leaders of Bosnia and Herzegovina to engage responsibly and in a spirit of compromise to achieve as soon as possible the formation of governments at every level in order to address the outstanding urgent and necessary reforms to achieve qualitative steps forward on its path towards the EU.
3. The Council emphasises, while referring to the Council conclusions of 14 December 2010, that as a matter of priority, the country needs to bring the Constitution into compliance with the European Convention of Human Rights (ECHR). A credible effort in this regard is key to fulfilling the country's obligations under the Interim/Stabilisation and Association Agreement. The adoption of a State Aid Law at state level is a further obligation stemming from the IA/SAA. In addition, the adoption of a state level census law and speeding up reforms are important elements of the country's EU integration process. Progress in addressing these issues would demonstrate the commitment of the authorities and the political parties to the EU integration process. A satisfactory track record in implementing obligations under the SAA/IA would be a key element for a credible membership application to be considered by the EU.

The Council stresses the importance of improving and strengthening the efficient functioning of the state and the institutions, including through necessary constitutional changes. In particular, the country will need to be in a position to adopt, implement and enforce laws and rules of the EU.

4. The EU is finalising the preparations to establish a reinforced, single EU Representative in Bosnia and Herzegovina who will take the lead in supporting Bosnia and Herzegovina on EU related matters. It will take these steps in coordination with the broader international community. The single EU representative will have a broad and balanced set of instruments to maximise the incentives provided by the EU, in line with established procedures. These will include continued political facilitation on issues related to the EU integration process, IPA financing and the monitoring and support of reform progress through bodies established by the SAA/IA.
5. The Council also remains determined to support the Dayton/Paris Peace Agreement and supports the proposals from the High Representative of the Union for Foreign Affairs and Security Policy on the possible use of restrictive measures. The Council underlines the EU's CSDP missions, namely the EU Police Mission and EUFOR Operation Althea, as important elements of its overall strategy for Bosnia and Herzegovina. The Council reiterates its agreement to keep these missions under regular review, including on the basis of the situation on the ground, with a view to assessing in the future EU engagement in this area.
6. The Council reaffirms its full support for the current HR/EUSR Valentin Inzko. The Council calls on Bosnia and Herzegovina to meet the outstanding objectives and conditions which remain necessary for the closure of the OHR. In the framework of the EU's overall strategy for Bosnia and Herzegovina and the effective establishment of the reinforced EU presence, the Council looks forward to discussions of the international community on the reconfiguration of the international presence, including consideration of the possible relocation of the OHR."

## **BELARUS**

Over lunch ministers discussed the deteriorating situation in Belarus. The Council adopted further restrictive measures against Belarus officials (see p. 19).

**SAHEL REGION**

Ministers discussed the Sahel over lunch and the Council adopted the following conclusions:

- "1. The Council welcomes the presentation of a European Union Strategy for Security and Development in the Sahel proposed by the High Representative and the Commission as requested by the Foreign Affairs Council of 25 October 2010.
2. The Council recognises the multi-faceted and interlinked challenges faced by the countries in the Sahel region, both individually and regionally. It recalls that security and development cannot be separated; improving the security situation is integral to economic growth and the reduction of poverty in the region.
3. In that context, the Council supports the integrated approach as well as the strategic objectives proposed in the political strategy which will provide not only the framework for EU engagement but also a useful means of improving the coherence, coordination and effectiveness of the EU's engagement with the region. The Council also supports the primary focus of the Strategy in its initial phase on Mali, Mauritania and Niger around four particular strands of action: development, good governance and internal conflict resolution; political and diplomatic; security and rule of law; countering violent extremism.
4. Building on existing national, bilateral and multilateral engagement, the EU will work in close cooperation with the authorities of the countries of the region, civil society and regional and international bodies, including the African Union (AU) and ECOWAS to fight the root causes of poverty, support economic development, good governance and improved access to key infrastructures and basic services for the local populations. The EU will also support the consolidation of state institutions, justice, police and customs to strengthen security and the rule of law in the region with a view to reducing the threat from terrorism, kidnapping and cross-border criminal activity such as the trafficking of drugs and human beings.
5. Working in close cooperation with partners, including the AU and ECOWAS, the EU will continue to assist the countries of the region in their efforts to enhance the political stability, security, governance and social cohesion by setting the conditions for local and national sustainable development and assisting the mitigation of internal tensions, as well as the challenges posed by violent extremism, terrorism and organised crime.

6. The Council invites the High Representative and the Commission to make proposals on the basis of the strategy presented for urgent consideration by the relevant Council preparatory bodies of steps and actions in order to develop and implement the strategy. The Council also invites the High Representative to take forward consultations with partners in the region, as well as with the AU and ECOWAS."

**SOMALIA**

Ministers discussed Somalia over lunch and the Council adopted the following conclusions:

- "1. The EU expresses its continued deep concern about the political, security, development and humanitarian situation in Somalia, including the resulting increase in the number of displaced people. Instability in Somalia is posing a growing challenge not only to the security of people in Somalia, but also to the region and the rest of the world, through terrorism, piracy and the proliferation of weapons.
2. The EU confirms its continued support for the Djibouti peace process, which remains the framework for peace building and stability in Somalia. It is imperative that the Transitional Federal Institutions (TFIs) demonstrate unity, common purpose and determination to advance in this incremental and all-inclusive process.
3. The EU deeply regrets the recent unilateral decision by the Somali Transitional Federal Parliament (TFP) to extend its mandate. It urges the TFIs to focus on implementing the reforms that are necessary to build their legitimacy, representativeness and credibility and without which there can be no extension. Any bridging period between the current and the reformed institutional set up should be as short as possible. The EU expects the TFIs to use any such period to advance reconciliation, security and justice and to develop minimum levels of governance to allow a more transparent management of state revenues and the provision of basic services to the people of Somalia. The EU agrees that future support to the TFIs, including stipends for parliamentarians, should be contingent on progress on reform and delivery of the transitional tasks.
4. The EU stands ready to contribute, together with regional and international partners, to the implementation of an agreed reform agenda for the TFIs on the basis of clear agreed benchmarks with a timeline for implementation.
5. The EU emphasises the importance of re-energising the constitutional process, in order to conclude the transitional period. If it is to have legitimacy, this process should be based on broad participation by the Somali people. The EU supports the role of the UN in facilitating a Somali-led process.

6. The EU calls on the Somali leadership to engage more actively with all stakeholders, including regional administrations and parties to agreements with the TFIs, clan elders, religious leaders, businesspeople, women and the diaspora, in order to develop a credible and inclusive Somali-owned political process for the benefit of all Somali people. The EU encourages regional entities to actively and constructively participate in this process. It also calls on all armed groups to urgently lay down their weapons and join in a genuine broad-based peaceful dialogue with the Transitional Federal Government (TFG).
7. The EU confirms its full support to the UN and the Special Representative of the UN Secretary General (UNSRSG), Mr Mahiga. It calls for more effective use of the current mechanisms of coordination between the Somali authorities and the international community, to ensure a common position favourable and conducive to reform and stability. The EU calls on the Somali authorities to continue their co-operation with the UNSRSG and to use his good offices as well as his leadership within the International Contact Group (ICG) on Somalia, as a means for more effective consultation.
8. The EU notes the conclusions of the last ICG on Somalia held in Madrid on 27-28 September 2010, and confirms its willingness to increase its political support to Somalia which will aim at supporting partnership with federal, regional and local authorities.
9. The EU recalls that there can be no purely military solution to the crisis in Somalia. The EU reaffirms its support for AMISOM and praises the commitment and bravery of the AMISOM peacekeeping troops who, together with the security forces of the TFG, have paid a heavy toll to help build security for the Somali people. The EU underlines that such support must be matched by complementary political efforts by the TFG, including initiatives to demonstrate peace dividends to people in safe areas. Considerations on future engagement in the framework of the EU Common Security and Defence Policy (CSDP), including the EU Training Mission (EUTM) in Uganda, will depend on the political context, satisfactory progress on a command and control structure, and on the evaluation of the reintegration of the first batch of trainees.



10. The EU reiterates the need to strengthen initiatives to fight piracy. The EU commends the contribution of the EU counter-piracy operation, EU NAVFOR Atalanta, to this end. EU NAVFOR will continue to adapt to the changing tactics of pirates and seek to implement agreed measures pro-actively where possible. The EU expresses its grave concern over the growing number of people, including seafarers, held hostage. Prosecution and detention of pirates are key components of counter-piracy: the EU agrees on the need for strong support for continued capacity-building in the rule of law and penal detention sectors in Somalia and the wider region, which would also facilitate the conclusion of transfer agreements. The EU considers that work needs to be taken forward on contributing towards making progress on implementing lasting solutions for the prosecution of pirates, building on the work already done last year by the EU, and taking into account ongoing work in the UN context. In this regard, the EU welcomes the report of the Special Advisor to the UN Secretary General on Legal Issues related to Piracy off the Coast of Somalia, and looks forward to the further debate in the UN on the implementation of its recommendations. The EU also welcomes the agreement on post-trial transfer between the Seychelles Government and the Somali TFG. The EU emphasizes the need for work on disrupting the financial flows linked to piracy and addressing the situation of hostages.
11. The EU is committed to supporting the counter-piracy "Kampala Process", bringing together the TFG and the regions Puntland and Somaliland, the Djibouti Code of Conduct and the implementation of the Regional Plan of Action agreed by ministers from the region in October 2010. The EU recognises the need to target its technical and financial support in this sector most effectively, working closely alongside the UN-mandated Contact Group on Piracy off the Coast of Somalia, which plays an international coordinating role.
12. Containment at sea will be further strengthened by efforts to tackle the root causes of piracy, focused on improving livelihoods, economic opportunities and the rule of law. The EU will continue to support regional initiatives to this end and will take an active role in co-ordinating international efforts in those regions of Somalia most affected, including in Puntland.
13. The EU expresses particular concern about the increasing tension and evidence of military build-up in Sool Region and Buhoodle District, and calls on the regional authorities to contain the confrontation, exert restraint and foster dialogue to resolve differences.

14. The EU is actively considering increasing its financial assistance to support central, regional and local level administrations in consolidating stable and accountable governance and improving livelihood opportunities and the provision of basic services. The EU aim is to enhance its support to regions of Somalia, such as Somaliland and Puntland, committed to peace, stability and democracy.
15. Given the scale of the humanitarian crisis facing Somalia, the EU will continue to provide humanitarian assistance to the most vulnerable populations in accordance with the humanitarian principles of independence, neutrality, impartiality and humanity. The EU is deeply concerned by the continuing contraction of humanitarian space and access in Somalia, and calls on all actors to ensure free and unhindered access for the delivery of humanitarian assistance."

**IRAN**

Ministers discussed Iran over lunch and the Council adopted the following conclusions on the situation of human rights in Iran:

- "1. The European Union is deeply concerned that the human rights situation in Iran continues to deteriorate. The EU is alarmed by the dramatic increase in executions in recent months and the systematic repression of Iranian citizens, including human rights defenders, lawyers, journalists, women's activists, bloggers, persons belonging to ethnic and religious minorities and members of the opposition, who face harassment and arrests for exercising their legitimate rights to freedom of expression and peaceful assembly. The EU reiterates its strong condemnation of the use of torture and other cruel, inhuman and degrading treatment.
2. The EU calls on the Iranian authorities to live up to the international human rights obligations that Iran has entered into, so as to protect and promote all human rights and fundamental freedoms to which the Iranian people are entitled. In particular it calls on Iran to release immediately all political prisoners and to halt executions.
3. The European Union attaches great importance to the improvement of the human rights situation in Iran and will increase its efforts to that end. The European Union will also continue to speak out in support of individuals and civil society organizations which stand up for the human rights which all Iranians should enjoy.
4. The EU is ready to discuss human rights issues with the Iranian authorities and to keep channels of communication open to that end.
5. The European Union will continue to address human rights abuses in Iran, including by swiftly introducing restrictive measures targeted against those responsible for grave human rights violations."

**OTHER ITEMS APPROVED****COMMON FOREIGN AND SECURITY POLICY****Belarus - restrictive measures**

Ministers discussed Belarus over lunch. The Council adopted a decision and a regulation extending restrictive measures to further officials in view of the gravity of the situation in Belarus.

On 25 October 2010, the Council adopted Decision 2010/639/CFSP concerning restrictive measures (travel ban and asset freeze) against certain officials of Belarus<sup>1</sup>. An additional 19 Belarus officials will be included in the lists of persons subject to restrictive measures as set out in Annexes IIIA and IV to Decision 2010/639/CFSP.

The updated lists will be published in the Official Journal on 22 March.

**Libya - restrictive measures**

The Council decided to extend restrictive measures to further persons and entities in view of the gravity of the situation in Libya.

The travel ban and the freeze on assets are extended to another 11 persons and the asset freeze is applied to a further nine entities.

On 28 February 2011, the Council adopted Decision 2011/137/CFSP concerning restrictive measures in view of the situation in Libya.<sup>2</sup> The additional persons and entities will be included in the lists of persons and entities subject to restrictive measures set out in Annexes II and IV to Decision 2011/137/CFSP. The new lists will be published in the Official Journal on 22 March.

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<sup>1</sup> OJ L 280, 26.10.2010, p. 18.

<sup>2</sup> OJ L 58, 3.3.2011, p. 53.

**Egypt - restrictive measures**

The Council adopted a decision and a regulation imposing the freezing of all funds and economic resources owned or controlled by persons identified as responsible for the misappropriation of Egyptian state funds, and natural or legal persons associated with them.

The decision and the regulation target a list of 19 persons, including former president Hosni Mubarak. The list will be published in the Official Journal later this week.

On 21 February, the European Union declared its readiness to support the peaceful and orderly transition to a civilian and democratic government in Egypt based on the rule of law, with full respect for human rights and fundamental freedoms and to support efforts to create an economy which enhances social cohesion and promotes growth.

**Transnistrian region of the Republic of Moldova - restrictive measures**

The Council adopted a decision extending the EU's restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova for a further twelve months (until 31 March 2012) but again suspending their application for six months (until 30 September 2011) in order to encourage progress in reaching a political settlement to the Transnistrian conflict.

The decision, which amends Decision 2010/573/CFSP, will be published in the Official Journal.

**Guinea - restrictive measures**

The Council amended the EU legislation imposing restrictive measures on the Republic of Guinea in response to the violent crackdown by security forces on political demonstrators in Conakry on 28 September 2009. Today's amendments specifically target the persons identified by the International Commission of Inquiry as being responsible for the crackdown.

The decision and the addendum containing the amended list of individuals subject to the visa ban and the asset freeze will be published in the Official Journal.

This decision amends Decision 2010/638/CFSP.

The Council also amended the relevant regulation (Regulation No.1284/2009) that implements the restrictive measures.

## **International Criminal Court**

The Council updated the EU's position in support of the International Criminal Court (ICC).

On 16 June 2003, the Council adopted Common Position 2003/444/CFSP on the International Criminal Court (ICC)<sup>1</sup>. The review conference of the Rome Statute of the ICC, held in Kampala, Uganda, from 31 May to 11 June 2010, adopted amendments to the statute. On that occasion, the European Union pledged to review and update its instruments in support of the ICC and to continue the promotion of the universality and preservation of the integrity of the Rome Statute.

The objective of the Council decision is to advance universal support for the Rome Statute by promoting the widest possible participation in it, to preserve the integrity of the Statute, to support the independence of the ICC and its effective and efficient functioning and to support cooperation with the ICC.

## **COMMON SECURITY AND DEFENCE POLICY**

### **EU rule of law mission for Iraq (EUJUST LEX)**

The Council adopted a decision amending the financial reference amount intended to cover the expenditure related to the EU integrated rule of law mission for Iraq (EUJUST LEX) between 1 July 2010 and 30 June 2011 to EUR 22 300 000.

### **Crisis management exercise 2011**

The Council adopted the draft exercise specifications for CME 11, the command post crisis management exercise to be conducted in late November/early December 2011.

CME 11 will aim to exercise and evaluate a range of EU crisis response and management structures with a view to improving the EU capacity to manage crises, including EU decision-making and planning processes, in a rapidly changing environment. It will exercise both civilian and military instruments and their co-ordination within the EU at different levels.

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<sup>1</sup> OJ L 150, 18.6.2003, p. 67.