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Foreign Affairs

Luxembourg, 10 October 2011

President

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Security Policy

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Main results of the Council

*The Council discussed the situation in **Belarus**. In view of the continuing repression of civil society, the political opposition and the independent media, the Council prolonged the existing restrictive measures for one year and announced additional measures.*

*The Council also debated the latest developments in **Ukraine**, notably the ongoing trial of former Prime Minister Yulia Tymoshenko and the negotiations for an Association Agreement between the Ukraine and the EU.*

*In its conclusions, the Council reiterated its deep concern at the deteriorating **human rights situation in Iran**, in particular the continued increase in executions, including those of minors. It therefore reinforced the EU's restrictive measures against persons responsible for those human rights violations.*

*The Council held an exchange of views on the southern neighbourhood, in the light of the latest events in the region. It adopted conclusions on **Libya, Syria and Yemen**.*

*Over lunch, ministers discussed the **Middle East Peace Process**. The Council adopted conclusions expressing its full support to the efforts of the High Representative for a resumption of direct negotiations between the parties. It also appealed to parties to resume negotiations under the terms and within the timeframe outlined in the Quartet statement.*

*The Council also adopted conclusions on **Bosnia and Herzegovina**. It agreed in particular that Operation Althea will be reconfigured with forces based in Bosnia and Herzegovina which will focus on capacity-building and training while also retaining the means to contribute to the Bosnia and Herzegovina authorities' deterrence capacity. A reserve force will be based over the horizon with regular in-country reconnaissance and rehearsal. The Council agreed to keep the operation under regular review including on the basis of the situation on the ground.*

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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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First Secretary of State, Secretary of State for Foreign and Commonwealth Affairs

Commission:

Mr Stefan FÜLE

Member

Mr Andris PIEBALGS

Member

ITEMS DEBATED

BELARUS

The Council discussed the situation in Belarus and reconfirmed the EU's approach to that country.

The Council noted that a number of political prisoners had been released in Belarus. But it reiterated that any re-engagement with Belarus remained conditional on the release and rehabilitation of all political prisoners.

In view of the continuing repression of civil society, the political opposition and the independent media, the Council extended the existing restrictive measures until 31 October 2012. It also added 16 persons to the list of those targeted by an assets freeze and a visa ban on account of the crackdown on civil society and the democratic opposition.

For more information, see press release [15310/11](#).

UKRAINE

The Council discussed follow-up to the discussion at the Eastern Partnership summit and recent developments in Ukraine, including the trial of former Prime Minister Yulia Tymoshenko and the negotiations for an EU-Ukraine Association Agreement.

EU-CHINA SUMMIT

The Council discussed preparations for the next EU-China summit.

The fourteenth summit between the EU and China, to take place in Tianjin on 25 October, is set to discuss bilateral cooperation as well as global economic governance and climate change. Leaders will also address global and regional peace and security issues, including the latest developments in the Southern Mediterranean, in Iran and in Afghanistan.

SOUTHERN NEIGHBOURHOOD

The Council exchanged views on the situation in the EU's southern neighbourhood, in the light of the latest developments in the region.

Egypt

The Council debated the latest developments in Egypt and expressed its concerns about the protection of religious minorities.

Libya

The Council discussed the situation in Libya and adopted the following conclusions:

- "1. The EU welcomes recent developments in Libya and reaffirms its commitment to support the emergence of a new, stable, prosperous, sovereign and democratic Libya. The Libyan people have fought heroically for the respect of their rights and dignity. The National Transitional Council (NTC) has now established control over the vast majority of Libyan territory. The Kadhafi regime has collapsed and many of its key supporters have been arrested or have fled the country. The EU expresses full support to the Libyan authorities represented by the NTC, as the legitimate interim governing authority in Libya and the sole representative of the Libyan state and people. It looks forward to the formation of an inclusive and broad-based government, to the launch of a democratic, peaceful and transparent transition that reaches out to all Libyans, including women, and to the preparation of free and fair elections in accordance with the Constitutional Declaration by the NTC.
2. The EU notes that some areas of conflict remain and pose a threat to the civilian population. It therefore welcomes the continuation of the operation to enforce UNSCR 1973 and ensure the protection of the Libyan population. It calls on Colonel Kadhafi and his immediate entourage to surrender. The EU calls on the Libyan people, including those who have previously served the regime, to unite in the spirit of reconciliation in support of the development of a new Libya. The EU recalls the duty to comply with the arrest warrants issued by the International Criminal Court and its expectation that all states will cooperate fully with the Court. It welcomes the NTC's call that those responsible for serious human rights violations during the conflict will swiftly face justice in accordance with due process, and its commitment to end impunity.

3. The EU welcomes the adoption of UNSCR 2009 (2011), the return of Libya as represented by the NTC to the UN, as well the Summit on Libya on 1 September in Paris and the first meeting of the High Level Meeting on 20 September in New York. The EU welcomes the establishment of a UN Support Mission to Libya (UNSMIL) and further welcomes the appointment of Ian Martin as the Special Representative of the UN SG. The EU notes the resolution adopted by the Human Rights Council and looks forward to the reintegration of Libya in it.
4. The EU stresses the need to fully respect all international obligations and the rule of law, in particular human rights and international humanitarian law. It expresses concerns about reports of serious human rights violations and welcomes the statements by NTC President Abdul Jalil concerning the need to refrain from reprisals and to protect minorities and vulnerable groups, such as the Sub-Saharan Africans, and former combatants.
5. The EU expresses particular concern at the dissemination of conventional weapons in Libya and invites competent national authorities and international organisations to continue to ensure the security of any chemical weapons stockpiles, while continuing their destruction. It calls for concerted efforts to secure all conventional weapons and prevent trafficking of them, as well as for progress on disarmament, demobilisation and reintegration. Any nuclear and radiological material present in Libya should also be accounted for and properly secured.
6. The EU also underlines its commitment to cooperating with the countries of the Sahara-Sahel region in order to reduce the risk of destabilisation that may result from the situation in Libya. In this context, the EU is committed to implement its Sahel strategy in an efficient and swift manner.
7. Libya faces enormous challenges in the short and medium term. The EU has stood by the Libyan people during the conflict, including through the delivery of significant humanitarian assistance, and will continue to do so now. The EU has immediately transposed the provisions of UNSCR 2009 on the delisting of entities active in the oil and gas sector and on the release of Libyan frozen funds for the benefit of the people of Libya. In addition, it has also delisted 29 entities previously covered by its autonomous restrictive measures. It stands ready to proceed to further delistings in order to make these assets available in a transparent and responsible manner in conformity with the needs and wishes of the Libyan people and relevant UNSCRs.

8. In response to the requests from the Libyan authorities and in full respect of the principle of Libyan ownership, the EU is participating in the joint needs assessment under the overall coordination of the UN. The EU, UN and the World Bank have taken the lead for different sectoral assessments, and the EU is leading in the key fields of border management, civil society and women's rights, as well as communications and media. The EU will also participate in other sectoral assessments led by the UN and the World Bank. Without prejudice to the assessment exercise, the EU reiterates its readiness to combine its actions and instruments to provide further assistance to the new Libya across a range of sectors, including on democratisation, rule of law, institution-building, security sector reform, police training and the re-launching of the economy. To support this process, the EU has opened an EU office in Tripoli in addition to the existing EU office in Benghazi. The Council also welcomes the return of number of Member States' embassies in Tripoli.

9. In the longer-term as Libya moves from conflict towards a peaceful stabilisation, the EU is committed to deepening and strengthening its relationship with the Libyan people. As laid down in June 2011 Council Conclusions and in the Joint Communication of March and May 2011, the EU has agreed a new and more ambitious approach to its Neighbourhood Policy to provide enhanced support to those countries in the region undergoing transition. The Council also welcomes the decision of the Senior Officials of the Union for the Mediterranean (UfM) to invite Libya to participate in the UfM meetings, with a view to becoming a UfM member."

Syria

The Council discussed the situation in Syria and adopted the following conclusions:

- "1. Recalling its previous conclusions, the EU condemns in the strongest terms the ongoing brutal repression led by the Syrian regime against its population as well as the widespread human rights violations, including killing, mass arrest and torture of civilians, peaceful protestors and their relatives, that may amount to crimes against humanity. It also condemns actions aimed at inciting interethnic and inter-confessional conflict, as well as recent targeted assassinations of renowned political figures such as Mash'al-Tammo. According to the Deputy UN High Commissioner for Human Rights more than 2,900 people, including children, have died since the beginning of the unrest. The EU deplores these deaths and expresses its condolences to the families of the victims. The EU demands that the Syrian authorities put an immediate end to the violence in order to prevent further bloodshed. Those responsible for or associated with the repression must be held to account by the international community.

2. There can be no credible political process without an end to killings and arbitrary detentions, without the release of political prisoners and the right for opposition leaders and activists to meet peacefully and organize in freedom and safety. President Assad must step aside to allow a political transition to take place in Syria.

3. The Syrian authorities must immediately alleviate the suffering of the populations living in crisis areas, including by allowing unhindered and sustained access for humanitarian agencies and workers and restoring basic services including unimpeded access to hospitals. The Syrian authorities must grant access to fact-finding missions, in particular from the independent international commission of inquiry appointed by the Human Rights Council in August, and to allow independent and international media to operate in Syria without restrictions. Syria must abide by its international commitments, in particular its obligations under the International Covenant on Civil and Political Rights.
4. The EU strongly condemns attacks on diplomatic personnel. The Syrian authorities are under an international obligation to ensure the protection of diplomatic missions in Damascus in accordance with the Vienna Convention on Diplomatic Relations.
5. The EU reiterates its determination to pursue actively its current policy, including through its targeted sanctions against the Syrian regime and those supporting it, until there is an end to the unacceptable violence and decisive progress towards a genuine, peaceful and democratic transition addressing the legitimate demands of the Syrian people.
6. The EU strives to assist the Syrian people in achieving their legitimate aspirations. Sanctions are aimed at those responsible for or associated with the violent repression and those who support or benefit from the regime, not at the civilian population. Those targeted by EU restrictive measures must realize the consequences of their actions and distance themselves from the regime if they want to avoid being subject to EU sanctions. In this context, the EU recalls that the list of persons and entities targeted by restrictive measures is kept under constant review and is adapted accordingly.
7. The EU salutes the unwavering courage of those in Syria who are protesting and their willingness to remain committed to non-violence. It stands with the Syrian people as they express their legitimate aspirations, and as they seek the respect of fundamental rights of individuals regardless of their religion or belief. The EU reaffirms it is for them to decide the future of their country through peaceful and democratic means. It welcomes the efforts of the political opposition to establish a united platform. It calls on the international community also to welcome these efforts. In this regard, the EU notes the creation of the Syrian National Council as a positive step forward. The EU welcomes the SNC's commitment to non violence and democratic values.

8. The EU is deeply disappointed that the UN Security Council has not yet been able to adopt a resolution on the current developments in Syria even after months of ongoing brutal abuses by President Assad and his regime. The EU will continue to press for strong UN action to increase international pressure and urges all members of the Security Council to assume their responsibilities in relation to the situation in Syria. In addition, the EU will pursue efforts with regional partners, to address the situation in Syria.
9. As soon as a genuine democratic transition begins, the EU is ready to develop a new and ambitious partnership with Syria across all areas of mutual interest, including by mobilizing assistance, and strengthening trade and economic links."

Tunisia

The High Representative updated ministers about developments in Tunisia and the first meeting of the Tunisia-EU task force, which was held on 28 and 29 September in Tunis.

Yemen

The Council discussed the situation in Yemen and the EU's response. It adopted the following conclusions:

- "1. The European Union continues to view events in Yemen with extreme concern. The EU urges all parties to cease hostilities, refrain from all violence, respect international human rights standards and abide by a permanent ceasefire, throughout the country. Those responsible for violence against peaceful protesters must be held accountable and be brought to justice. The Yemeni government has a responsibility to protect all citizens from further violence.
2. After the return of President Saleh on 23 September, the EU calls once more on the President immediately to sign and implement the GCC initiative, without preconditions. It calls on all parties in Yemen urgently to ensure an orderly and inclusive political transition. The interests of the nation must come first and the political impasse is setting Yemen's development back by years. The EU continues to support Vice President Abd Rabbuh Mansur Hadi's role to find a political agreement acceptable to all parties, including holding early elections, as set out in the Presidential decree on 12 September.

3. The EU welcomes the Report of the Office of the High Commissioner for Human Rights following its mission of July 2011, which was submitted to the 18th Session of the Human Rights Council. The EU urges the Government of Yemen to act on the recommendations of the Report and welcomes its follow-up including through the progress report as requested in Human Rights Council Resolution L32.
4. The EU remains seriously concerned by the dramatically deteriorating humanitarian situation, including that of refugees and internally displaced persons, and in particular the alarming levels of malnutrition. The worsening humanitarian situation is severely exacerbated by the political stalemate. The EU calls on all parties to act in accordance with international humanitarian law, and allow unhindered and sustained access for humanitarian agencies to conflict-affected areas. The EU and its Member States will continue to support the Yemeni people, and have so far contributed 60 million Euros in humanitarian assistance in 2011.
5. The EU remains ready, alongside regional and international partners, to respond positively with political support and assistance for the urgently required immediate implementation of Yemen's political transition. The EU will continue to review its policy towards Yemen in response to developments and looks forward to further discussions at the level of the United Nations Security Council. The EU will explore all available options if the political impasse persists, and the economic and humanitarian situations continue to deteriorate as a result."

MIDDLE EAST PEACE PROCESS

During lunch, ministers debated the follow-up to the Middle East Quartet statement of 23 September and to the meeting of Quartet envoys on 9 October.

The Council adopted the following conclusions:

- "1. The EU reiterates its full support to the High Representative in her continuing efforts on behalf of the EU to create a credible perspective for the re-launching of the Peace Process.
2. The EU reiterates its appeal to the parties to resume negotiations under the terms and within the timelines indicated in the Quartet Statement of 23 September 2011. The EU welcomes the positive statements of both parties in that regard. The EU underlines the Quartet's crucial role in facilitating the resumption of direct talks between Israel and the Palestinians and recalls its readiness to support all efforts to bring the parties back to the negotiating table. The EU fully supports the Quartet's call on the parties to refrain from provocative actions and to respect the obligations of both parties under the roadmap.

3. The EU deplores the recent Israeli decision to advance settlement expansion in the East Jerusalem settlement of Gilo, which runs counter to the Quartet's efforts. The EU also calls upon both sides to avoid steps that run counter to the Quartet's efforts to restart negotiations.
4. The EU reaffirms its clear positions on negotiations, with regard to parameters, principles and issues, including the conclusions of the Foreign Affairs Council in December 2009, December 2010, May 2011 and July 2011, as well as the Statement delivered on behalf of the EU at the Security Council on 21 April 2011.
5. The EU continues to follow closely developments regarding to the Palestinian initiative at the UN."

IRAN

The Council discussed the human rights situation in Iran and was debriefed by the High Representative on the discussions among the E 3+3 concerning Iran's nuclear programme during the UN General Assembly in September in New York.

In view of the deteriorating human rights situation, the Council reinforced the EU's restrictive measures against persons responsible for serious human rights violations in Iran, adding 29 persons to the list of those targeted by an assets freeze and a visa ban. At the same time, the Council underlined that it remains ready to discuss human rights issues with the Iranian authorities.

The Council adopted the following conclusions:

- "1. The European Union is deeply concerned that the human rights situation in Iran continues to deteriorate. The EU is appalled by the continued dramatic increase in executions in Iran, including the execution of minors, and is concerned that many of those were held in public and using particularly cruel and inhumane methods. On this day, the World Day against the Death Penalty, the EU reiterates its call on Iran immediately to establish a moratorium on the death penalty with a view to its complete abolition.
2. The EU also deplores the widespread repression of Iranian citizens, including human rights defenders, lawyers, journalists, film makers, 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. In this context, the EU appeals to Iran for the immediate and unconditional release of all those detained on these grounds, including Youcef Nadarkhani. The EU reiterates its strong condemnation of the use of torture and other cruel, inhuman and degrading treatment. It also calls on Iran to release immediately all political prisoners.

3. The EU calls on the Iranian authorities to cease repression of Iranian political opposition and to lift restrictions on freedom of movement and communication of its members, including Mir Hossein Mousavi and Mehdi Karoubi.
4. The EU calls on the Iranian authorities to live up to their international human rights obligations, so as to protect and promote all human rights and fundamental freedoms to which the Iranian people are entitled. In this regard the EU calls on the Iranian authorities to lift restrictions on communications, including internet censorship, and put an immediate end to jamming of satellite broadcasting. Furthermore, the EU calls on Iran to cooperate fully with the United Nations on the situation of human rights in Iran, including by implementing the recommendations Iran has accepted through the Universal Periodic Review and working with the UN Special Rapporteur, giving him access to the country.
5. The European Union will continue to address human rights abuses in Iran. The Council has therefore decided to extend the application of its restrictive measures adopted on 12 April 2011 targeted against those responsible for grave human rights violations, to additional individuals. The EU 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. At the same time, the EU remains ready to discuss human rights issues with the Iranian authorities and to keep channels of communication open to that end."

More information on the World Day against the Death Penalty can be found in [memo 11/669](#).

OTHER ITEMS APPROVED

FOREIGN AFFAIRS

UN conference on trade and development

The Council adopted the EU's key objectives and priorities for the 13th UN conference on trade and development, which is to be held in Doha, Qatar, from 21 to 26 April 2012. The main theme of UNCTAD XIII will be 'development-oriented globalization: towards inclusive and sustainable growth and development' ([15326/11](#)).

Relations with the Republic of Moldova

The Council adopted the position of the European Union for the twelfth EU-Moldova co-operation committee, to be held on 18 October in Chisinau, the Republic of Moldova. The objective of the meeting is to take stock of progress in EU-Moldova relations since the last co-operation committee meeting in October 2010.

Framework agreement with Australia

The Council authorised the Commission to open negotiations with Australia for a framework agreement between the European Union and Australia.

Bosnia and Herzegovina

The Council adopted the following conclusions:

- "1. Recalling its conclusions of 21 March, the Council reaffirmed its commitment to strengthen its support to Bosnia and Herzegovina. In this context it welcomed the arrival of Peter Sorensen as EU Special Representative and Head of Delegation in Bosnia and Herzegovina and welcomed him taking the lead in supporting Bosnia and Herzegovina in EU-related matters. It looked forward to the implementation of all the elements of the EU policy. The Council expressed its gratitude to the High Representative Valentin Inzko for his work and efforts undertaken during his time as EU Special Representative.

2. The Council called on the political leadership of Bosnia and Herzegovina to form, through an inclusive process, a state-level government as a matter of urgency and to address the outstanding urgent and necessary reforms to achieve qualitative steps forward on its path towards the EU. It noted the talks of the political leaders and encouraged their rapid translation into concrete results.
 3. As regards the EU overall strategy for Bosnia and Herzegovina, the Council looked forward to the discussion with the international community on the reconfiguration of the international presence, including its downsizing and possible relocation of the OHR, in the appropriate forum.
 4. The Council confirmed the EU's readiness to continue at this stage an executive military role to support Bosnia and Herzegovina's efforts to maintain the safe and secure environment under a renewed UN mandate. The main effort of Operation Althea will be on capacity-building and training while maintaining situational awareness and a credible reserve in case called upon to support efforts to maintain or restore the safe and secure environment. The Operation will be reconfigured with forces based in Bosnia and Herzegovina which will focus on capacity-building and training while also retaining the means to contribute to the Bosnia and Herzegovina authorities' deterrence capacity. A reserve force will be based over the horizon with regular in-country reconnaissance and rehearsal. The Council agreed to keep the operation under regular review including on the basis of the situation on the ground.
 5. The Council reiterated its unequivocal commitment to Bosnia and Herzegovina's EU perspective, as agreed at the 2003 Thessaloniki European Council. The Council reaffirmed its unequivocal commitment to the territorial integrity of Bosnia and Herzegovina as a sovereign and united country."
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