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To: Delegations

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Subject: Council conclusions on Syria
- Council conclusions (17 October 2016)

Delegations will find in the Annex the Council conclusions on Syria adopted by the Council at its 3492nd meeting held on 17 October 2016.

COUNCIL CONCLUSIONS ON SYRIA

Foreign Affairs Council, 17 October 2016

1. The EU is appalled by the deteriorating situation in Syria. The escalating violence in Aleppo is causing untold and unacceptable suffering for thousands of its inhabitants. Since the beginning of the offensive by the regime and its allies, notably Russia, the intensity and scale of the aerial bombardment of eastern Aleppo is clearly disproportionate and the deliberate targeting of hospitals, medical personnel, schools and essential infrastructure, as well as the use of barrel bombs, cluster bombs, and chemical weapons, constitute a catastrophic escalation of the conflict and have caused further widespread civilian casualties, including amongst women and children and may amount to war crimes.
2. The Syrian regime has the primary responsibility for the protection of the Syrian population. The EU therefore strongly condemns the excessive and disproportionate attacks by the regime and its allies, both deliberate and indiscriminate, against civilian populations, humanitarian and healthcare personnel and civilian and humanitarian infrastructures and calls on them to cease indiscriminate aerial bombardments. The EU condemns the continued systematic, widespread and gross violations and abuses of human rights and all violations of international humanitarian law by all parties, particularly the Syrian regime and its allies. The targeting of a UN humanitarian convoy on 19 September is a clear violation of international law, which requires full investigation. The EU looks forward to the findings of the internal UN board of inquiry. Those responsible for such violations and abuses must be held accountable.

3. In these deteriorating circumstances, the EU calls urgently for: an end of all military flights over Aleppo city; an immediate cessation of hostilities to be monitored by a strong and transparent mechanism; sieges to be lifted; and full unhindered sustainable country-wide humanitarian access granted by all parties. These steps are essential to save the people of Aleppo and in other parts of the country and to lay the ground for a resumption of credible intra-Syrian talks to provide security for the entire population of Syria. In this context regional actors bear special responsibility, particularly neighbouring countries.
4. The EU will continue intensive humanitarian diplomacy and seek ways to improve access and protection as well as to promote humanitarian principles and local consensus on guidelines for the delivery of aid. The EU calls upon all parties, especially the Syrian regime, to provide full and unhindered countrywide access to all those in need and to end all obstruction to the delivery of humanitarian aid. The use of starvation of civilians through the besiegement of populated areas for which the regime bears the greatest responsibility, as a tactic of war, and forced population transfers are a clear breach of international humanitarian law and must stop. Providing immediate relief to the suffering is imperative. The Council therefore welcomes the EU emergency humanitarian initiative launched on 2 October in close coordination and cooperation with UN agencies, to deliver humanitarian relief to eastern Aleppo and other besieged areas and allow the safe and monitored evacuation of urgent medical cases. It urges the Syrian regime to deliver without delay authorisations for crossline humanitarian convoys to be delivered, including to Eastern Aleppo. The EU stresses the importance of the ISSG and its humanitarian taskforce to achieve results on the ground and alleviate the suffering of the Syrian people. It calls on all partners and all parties to the conflict to protect civilians, including humanitarian and medical structures and personnel in all parts of the country and to help facilitate the work of the UN and other humanitarian organisations on the ground to deliver vital assistance to vulnerable groups, especially women and children, and evacuate wounded and sick.

5. The EU firmly believes that there can be no military solution to the conflict. The EU reiterates its commitment to the unity, sovereignty, territorial integrity and independence of the Syrian state. Recalling its Conclusions of 23 May 2016, the EU actively participates in the ISSG and its taskforces and fully supports the UN Special Envoy de Mistura in the efforts to create the conditions for resumption of intra-Syrian talks, noting his proposal for Eastern Aleppo. The EU recognises the efforts made to re-establish a full cessation of hostilities and regrets that they have not yet succeeded and encourage further attempts to do so. The EU deplors the Russian veto on 8 October to the UN Security Council Resolution to restore the cessation of hostilities and allow humanitarian access in Aleppo which was co-sponsored by all EU Member States. A renewed cessation enabling efforts to find a political solution in line with the provisions of UN SCRs 2254, 2268 and the Geneva Communique of 30 June 2012 cannot wait further, in order to allow all parties to reengage in negotiations for a genuine political transition. Such a transition must include a broad, transitional governing body with full executive powers formed on the basis of mutual consent. The EU will continue to support the efforts of the Syrian opposition and in particular the High Negotiations Committee (HNC) as the opposition delegation in the UN-brokered talks in Geneva. The Council welcomes the HR commitment to further engage with the Syrian opposition and the civil society. The EU urges again the Syrian regime to finally lay out its plan of truly implementing a genuine political transition. There cannot be a lasting peace in Syria under the current regime and until the legitimate grievances and aspirations of the Syrian society are addressed. Only once an inclusive political transition is in place will the EU be able to assist with the reconstruction of the country directly and through international organisations, an EU objective that will enable the millions of Syrians who have been forced to flee their homes to return to them and live in peace and security in their own lands. The Council welcomes the High Representative's constant coordination with the UN and support to the efforts of the UN Special Envoy de Mistura as well as her intensified outreach with key actors with a view to laying the ground for the resumption of an inclusive and Syrian led political process under UN auspices, and invites the High Representative to report back and suggest additional action that could be taken. The Council takes note of the commitment of the High Representative and the Commission to build upon existing EU efforts since the outbreak of the conflict including humanitarian aid, relief and recovery assistance as mentioned in the EU Regional Strategy.

6. The Council calls on Russia, including as co-chair of the ISSG, to demonstrate through policies and actions all efforts, in order to halt indiscriminate bombing by the Syrian regime, restore a cessation of hostilities, ensure immediate and expanded humanitarian access and create the conditions for a credible and inclusive political transition.
7. The EU condemns in the strongest terms the confirmed use of chemical weapons (as detailed in the JIM report) and widespread attacks on civilians and human rights violations and abuses by the Syrian regime and Da'esh. The findings of the JIM report require strong action by the OPCW and UNSC. All those responsible for such breaches of international law, in particular of international humanitarian law and human rights law, some of which may constitute war crimes or crimes against humanity, must be brought to justice, including those committing crimes against religious, ethnic and other groups and minorities. Impunity for such crimes is unacceptable and thus the EU will continue to support efforts to gather evidence in view of future legal action. The EU recalls its conviction that the situation in Syria should be referred to the ICC and renews its call to the UN Security Council to take action in this respect. The EU and its Member States will seek to explore possibilities of concerted action inter alia through the UN General Assembly. In this context, the EU will act swiftly, according to established procedures, with the aim of imposing further restrictive measures against Syria targeting Syrian individuals and entities supporting the regime as long as the repression continues.
8. The EU condemns the atrocities committed by Da'esh and other UN-designated terrorist groups, and reaffirms its strong commitment to combat them. The EU continues to support the efforts of the Global Coalition to counter Da'esh in Syria and Iraq. Da'esh and other UN-designated terrorist organisations constitute a threat for the future of Syria as well as to the interests and values of the EU. The EU calls for the prevention of material and financial support reaching individuals, groups, undertakings and entities associated with these UN-designated terrorist groups and the dissuasion of any party from collaborating with them. The Council calls for the expeditious separation of all combatants not designated as terrorist entities, from those designated as such. Only a political solution will enable a decisive defeat of Da'esh and other UN-designated terrorist organisations in Syria.