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## OUTCOME OF THE COUNCIL MEETING

3566th Council meeting

### Foreign Affairs

Luxembourg, 16 October 2017

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

# P R E S S

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<sup>1</sup> • 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.

**ITEMS DEBATED****Iran: implementation of the Joint Comprehensive Plan of Action**

The Council discussed the implementation of the Joint Comprehensive Plan of Action (JCPOA), the Iran nuclear deal. EU foreign ministers agreed on the following statement:

- "1. The JCPOA, the culmination of 12 years of diplomacy facilitated by the EU, unanimously endorsed by UN Security Council Resolution 2231, is a key element of the nuclear non-proliferation global architecture and crucial for the security of the region. Its successful implementation continues to ensure that Iran's nuclear programme remains exclusively peaceful. The EU underlines that the International Atomic Energy Agency has verified 8 times that Iran is implementing all its nuclear related commitments following a comprehensive and strict monitoring system.
2. The EU is committed to the continued full and effective implementation of all parts of the JCPOA. The EU underlines that the lifting of nuclear related sanctions has a positive impact on trade and economic relations with Iran including benefits for the Iranian people. It strengthens cooperation and allows for continuous dialogue with Iran.
3. The European Union considers President Trump's decision not to certify Iran's compliance with the Joint Comprehensive plan of action (JCPOA) as being in the context of an internal US process. The EU encourages the US to maintain its commitment to the JCPOA and to consider the implications for the security of the US, its partners and the region before taking further steps.
4. While the EU expresses its concerns related to ballistic missiles and increasing tensions in the region, it reiterates the need to address them outside the JCPOA, in the relevant formats and fora . The EU stands ready to actively promote and support initiatives to ensure a more stable, peaceful and secure regional environment.
5. At a time of acute nuclear threat the EU is determined to preserve the JCPOA as a key pillar of the international non-proliferation architecture."

## **Turkey**

Over lunch, foreign ministers discussed Turkey. They touched upon the developments in the country and focused in particular on cooperation regarding the situation in the region, including Syria, Iraq and relations with Iran.

Turkey will also be discussed by EU heads of state and government later in the week, at the European Council meeting of 19 and 20 October.

## **Democratic People's Republic of Korea**

The Foreign Affairs Council discussed the situation in the Korean peninsula and in particular the continuing development by the Democratic People's Republic of Korea (DPRK) of nuclear weapons and ballistic missiles in violation and flagrant disregard of UN Security Council resolutions.

Given the persistent threat to international peace and stability posed by the DPRK, the Council adopted new EU autonomous measures to further increase the pressure on the DPRK to comply with its obligations. The measures complement and reinforce the UN Security Council sanctions. They take effect immediately. The new measures include:

- a total ban on EU investment in the DPRK, in all sectors. The ban was previously limited to investment in the nuclear and conventional arms-related industry, the sectors of mining, refining and chemical industries, metallurgy and metalworking, and aerospace;
- a total ban on the sale of refined petroleum products and crude oil to the DPRK. These exports were subject to certain limitations under the UN Security Council resolution of 11 September;
- lowering the amount of personal remittances transferred to the DPRK from €15 000 to €5 000, as they are suspected of being used to support the country's illegal nuclear and ballistic missile programmes.

In addition, with a view to eliminating remittances to the DPRK, member states agreed not to renew work authorisations for DPRK nationals present on their territory, except for refugees and other persons benefiting from international protection.

The Council also added three persons and 6 entities supporting the illicit programmes to the lists of those subject to an asset freeze and travel restrictions. This brings the total number subject to restrictive measures designated autonomously against the DPRK by the EU to 41 individuals and 11 entities. In addition, 63 individuals and 53 entities are listed by the UN.

Ministers also agreed to lobby actively for the robust implementation of all relevant UN Security Council resolutions by all UN member states.

[Official Journal of 16 October](#)

### **Human rights**

Ministers had a debate on the EU policy on human rights in the presence of the EU Special Representative for Human Rights, Stavros Lambrinidis. The Council adopted:

[Conclusions on the mid-term review of the action plan on human rights and democracy](#)

[The EU annual report on human rights and democracy in the world in 2016](#)

**OTHER ITEMS APPROVED****FOREIGN AFFAIRS****Council conclusions on Myanmar/Burma**

The Council adopted the following conclusions on Myanmar/Burma:

- "1. The humanitarian and human rights situation in Rakhine State is extremely serious. There are deeply worrying reports of continuing arson and violence against people and serious human rights violations, including indiscriminate firing of weapons, the presence of landmines and sexual and gender based violence. This is not acceptable and must end immediately. More than 500 000 people, mostly Rohingya, have fled their homes and sought refuge in Bangladesh, as a result of violence and fear. When so many people are displaced so quickly this strongly indicates a deliberate action to expel a minority. Therefore it is of utmost importance that refugees can return in safety and dignity. Access for humanitarian assistance and the media is severely restricted in Rakhine State. Needs can therefore not be fully assessed nor addressed.
2. The EU has called on all sides to bring an immediate end to all violence. It urges the Myanmar/Burma military to end its operations and to ensure the protection of all civilians without discrimination and to fully observe international human rights law. The EU also reiterates its call on the Myanmar/Burma government to take all measures to defuse tensions between communities; grant full, safe and unconditional humanitarian access without delay, including for UN, ICRC, and international NGOs; and establish a credible and practical process to enable the safe, voluntary, dignified, and sustainable return of all those who fled their homes to their places of origin. The EU has stepped up its humanitarian assistance for Rohingya refugees in Bangladesh and stands ready to extend its activities in Rakhine State in favour of all people in need once access is granted.
3. The EU and its Member States reconfirm their strong engagement underlined in its Strategy on Myanmar (June 2016) to support the country's democratic transition, peace, national reconciliation and socio-economic development. In this context, the EU stands ready to support the government of Myanmar/Burma in order to ensure the swift and full implementation of the recommendations of the Advisory Commission on Rakhine State, including the crucial issue of citizenship for the stateless Rohingya population. The EU welcomes that the government has set-up an Inter-Ministerial Committee for the implementation of these recommendations.

4. The EU welcomes the State Counsellor's commitment to bringing all the perpetrators of human rights violations and other criminal acts to justice, in accordance with the rule of law to avoid all impunity, and her statement on 19 September that Myanmar/Burma does not fear international scrutiny. Credible allegations of serious human rights violations and abuses, including brutal attacks on children, must be thoroughly investigated. In this context the EU urges Myanmar/Burma to cooperate fully with the Human Rights Council's independent international Fact-Finding Mission and to allow it full, safe and unhindered access to the country without delay. The EU welcomes that the UN Human Rights Council recently extended the mandate of the Fact-Finding Mission.
5. Furthermore, the EU encourages Myanmar/Burma to enter into a dialogue with its neighbouring countries, in particular Bangladesh, on finding solutions to common concerns, notably the repatriation of refugees to their place of origin, in the spirit of good neighbourly relations. The EU appreciates the constructive role played by Bangladesh under difficult circumstances.
6. In the light of the disproportionate use of force carried out by the security forces, the EU and its Member States will suspend invitations to the Commander-in-chief of the Myanmar/Burma armed forces and other senior military officers and review all practical defence cooperation. The EU confirms the relevance of the current EU restrictive measures which consist of an embargo on arms and on equipment that can be used for internal repression. The Council may consider additional measures if the situation does not improve but also stands ready to respond accordingly to positive developments.
7. The humanitarian situation of populations affected by conflict in Kachin and Shan States, including 100.000 internally displaced people, is also of great concern. Humanitarian assistance has also been severely curtailed there and the EU calls on the government of Myanmar/Burma to restore humanitarian access to all communities affected in these areas.
8. The EU will continue to address these vital issues and all challenges linked to the process of democratic transition in the framework of its continuing engagement with the government of Myanmar/Burma and in all relevant international fora, notably the UN. The EU also intends to seize the opportunity of the forthcoming ASEM Foreign Ministerial Meeting (Nay Pyi Taw, 20/21 November 2017) to engage, in the margins thereof, in a constructive dialogue with the government and will also continue to liaise with all Asian partners in this regard. The EU also encourages its partners in ASEAN and the region to engage in this process."

## **Council adopts new strategy on Afghanistan**

The Council adopted conclusions on an EU strategy on Afghanistan. The Council reconfirmed the EU's and member states' long-term commitment to promoting peace, stability and prosperity in Afghanistan and to supporting its sustainable development.

The strategy on Afghanistan focuses on four priority areas: promoting peace, stability and regional security; reinforcing democracy, the rule of law and human rights and promoting good governance and women's empowerment; supporting economic and human development; and addressing challenges related to migration.

Read the [conclusions](#)

## **Council conclusions on Bosnia and Herzegovina**

The Council adopted the following conclusions on Bosnia and Herzegovina:

- "1. The Council reiterates its unequivocal commitment to Bosnia and Herzegovina's EU perspective as a single, united and sovereign country. The Council regrets that a divisive rhetoric rooted in the past and an early electoral agenda have over the last months slowed down the pace of reform and affected the political climate.
2. The Council recalls the importance of the country's commitment to the EU integration process. It notes positively that the initial implementation of the Reform Agenda has provided the first steps of structural adjustments to the economy of Bosnia and Herzegovina. It nevertheless urges the authorities to step up implementation of comprehensive reforms, in an inclusive manner, to the benefit of citizens. Additionally, the Council calls on Bosnia and Herzegovina institutions to step up efforts including regarding the functioning and the independence of the judiciary, the fight against corruption and organised crime as well as the fight against terrorism and the prevention of radicalisation.
3. The Council also encourages Bosnia and Herzegovina to continue the work done to answer the Commission's Opinion Questionnaire through the coordination mechanism on EU matters. The Council reiterates its calls on all levels of governance in Bosnia and Herzegovina to ensure the effectiveness of the coordination mechanism, including for the purpose of ensuring harmonised and consolidated answers to the Commission's Opinion Questionnaire.



4. Whilst acknowledging that the Constitution of Bosnia and Herzegovina lists Bosniacs, Croats and Serbs as constituent peoples (along with Others), the Council reiterates that the principles of equality of all citizens and non-discrimination shall be fully warranted. The Council underlines that no legislative or political steps should be taken which would make the implementation of the Sejdić-Finci ruling and related rulings more challenging.
5. In addition to the outstanding OSCE-ODIHR recommendations to further improve the electoral framework, the Council expects Bosnia and Herzegovina to address, within the necessary deadlines, the December 2016 ruling by the Constitutional Court of Bosnia and Herzegovina concerning specific electoral provisions on the Federation House of Peoples. The Council considers that electoral reforms should be approached in a spirit of consensus and dialogue, as an important matter, thereby also calling on Bosnia and Herzegovina to implement OSCE-ODHIR recommendations in order to move the country towards European standards, improving democratic processes of future elections.
6. The EU continues at the same time to urge the authorities of Bosnia and Herzegovina, with the support of the international community, to accelerate their efforts to address the disposal of excess ammunition and demining and other outstanding issues.
7. The Council welcomes the continued presence of Operation Althea, which retains the capability to contribute to the Bosnia and Herzegovina authorities' deterrence capacity if the situation so requires while focusing on capacity building and training. In this context, as part of the overall EU strategy for Bosnia and Herzegovina, the Council confirms the EU's readiness to continue at this stage the executive military role of Operation Althea to support Bosnia and Herzegovina's authorities to maintain the safe and secure environment, under a renewed UN mandate. The Council looks forward to the presentation of the foreseen Strategic Review, as a basis for discussion with Member States on options for the future of the Operation, also bearing in mind Bosnia and Herzegovina's progress in its EU integration process and taking into account the security situation on the ground.

The Council recognises the importance of continued coordination of EUFOR Althea with other international actors on the ground."

### **CFSP exercise programme**

The Council approved the EU programme of exercises and exercise-related activities under the Common Foreign and Security Policy (CFSP) for 2017–2021. The programme foresees several crisis exercises over the coming four years.

## **Relations with the Kyrgyz Republic**

The Council approved the signing and conclusion of a protocol to the Partnership and Cooperation Agreement establishing a partnership between the EU and the Kyrgyz Republic to take account of the accession of the Republic of Croatia to the European Union.

## **COMMON SECURITY AND DEFENCE POLICY**

### **EU Advisory Mission in Iraq**

The Council established and launched a new CSDP mission to support security sector reform in Iraq. The Council also adopted the Operation Plan and a decision authorising the opening of negotiations to conclude an agreement on the status of the EU Advisory Mission (EUAM).

Read the [press release](#)

### **High Representative's report on the six-monthly review of Operation Althea**

Operation Althea in Bosnia and Herzegovina (BiH) continues to implement its mandate and stands ready to support the BiH authorities to maintain a safe and secure environment, or to respond if so required.

## **DEVELOPMENT**

### **Relations with Caribbean states**

The Council adopted two decisions on the positions to be adopted by the EU at the joint Council of Caribbean states (Cariforum) and EU member states to be held on 17 November 2017.

The first decision regards the amendment of the definition of overseas countries and territories contained in annex IX of the first protocol to the Cariforum-EU economic partnership agreement (EPA).

The second decision concerns the establishment of a list of individuals specialising in law and international trade who are willing to serve as arbitrators in the context of the dispute settlement mechanism established by the EPA.

In 2008, the Cariforum signed an EPA with the EU which aims to promote trade and investment between the two blocs. The agreement contributes to sustainable development and poverty reduction, in line with the framework established by the Cotonou agreement in 2000.

### **JUSTICE AND HOME AFFAIRS**

#### **European Border and Coast Guard Agency - Bosnia and Herzegovina, Albania, Montenegro**

The Council adopted three decisions authorising the opening of negotiations with Albania, Montenegro and Bosnia and Herzegovina for agreements on activities carried out by the European Border and Coast Guard Agency in those countries.

The conclusion of such international agreements ('status agreements') with third countries neighbouring at least one member state will allow the EU to deploy European Border and Coast Guard teams (Frontex) with executive powers on the territory of these third countries, to strengthen EU cooperation with the Western Balkans in the field of migration.

The Commission, with the support of the EEAS, has already started negotiations for a status agreement with Serbia and the former Yugoslav Republic of Macedonia. The three new decisions will authorise the Commission to start similar negotiations with Albania, Bosnia and Herzegovina and Montenegro.

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