



**COUNCIL OF
THE EUROPEAN UNION**



15064/13

(OR. en)

PRESSE 427
PR CO 53

PRESS RELEASE

3267th Council meeting

Foreign Affairs

Luxembourg, 21 October 2013

President

Catherine Ashton

High Representative of the Union for Foreign Affairs and
Security Policy

P R E S S

Main results of the Council

*The Council discussed the latest developments in the **Syrian crisis**. It continues to be extremely concerned by the deteriorating situation in Syria, which makes it all the more urgent to put an end to all violence and to the suffering of the Syrian people. Only a political solution that results in a united, inclusive and democratic Syria can end the terrible bloodshed and grave violations of human rights.*

The Council welcomed UN Secretary General Ban Ki-Moon's call for a peace conference to be held in Geneva before the end of November. It urged all sides of the conflict to respond positively to this call and to adhere publicly to a credible political transition based on the full implementation of the Geneva Communiqué.

*The Council took stock of developments in the **EU's Eastern Partnership**, in preparation for the Eastern Partnership summit in Vilnius on 28-29 November.*

At the summit, the Association Agreements with the Republic of Moldova and with Georgia could be initialled, and the Agreement with Ukraine could be signed. Ministers exchanged views on Ukraine's progress in implementing the conditions for the possible signature of the EU-Ukraine Association Agreement. In the remaining weeks before the summit, determined action and tangible progress are needed in three areas: the compliance of the 2012 parliamentary elections with international standards, addressing the issue of selective justice and preventing its recurrence, and implementing the reforms jointly agreed in the Association Agenda.

*At lunch, ministers met Nobel Peace Prize laureate Daw Aung San Suu Kyi, opposition leader in **Myanmar / Burma**, and discussed how to support democratic reforms in the country. A task force meeting in November is set to bring EU representatives and businesses to Myanmar / Burma to offer comprehensive EU support for the transition to democracy.*

The Council also adopted conclusions on Yemen, Bosnia and Herzegovina and the Central African Republic.

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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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Member

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Member

ITEMS DEBATED

Eastern Partnership

The Council took stock of developments in the EU's Eastern Partnership, in preparation for the Eastern Partnership summit in Vilnius on 28-29 November.

At the summit, the Association Agreements with the Republic of Moldova and with Georgia could be initialled, and the Agreement with Ukraine could be signed. Ministers exchanged views on Ukraine's progress in implementing the conditions for the possible signature of the EU-Ukraine Association Agreement. Determined action and tangible progress are needed in three areas: the compliance of the 2012 parliamentary elections with international standards, addressing the issue of selective justice and preventing its recurrence, and implementing the reforms jointly agreed in the Association Agenda.

Southern neighbourhood

– Egypt

The Council discussed the situation in Egypt, following a briefing by the EU High Representative on her recent trip to Cairo. See [remarks](#) by the High Representative following the Foreign Affairs Council.

– *Syria*

The Council held an in-depth discussion on developments in the Syrian crisis, in particular on the efforts to achieve a political solution to the conflict and the destruction of Syria's chemical weapons, and to address the humanitarian situation.

It adopted the following conclusions:

- "1. The EU continues to be extremely concerned by the deteriorating situation in Syria, which makes it all the more urgent to put an end to all violence and to the suffering of the Syrian people, and find a political solution that meets their legitimate aspirations. The EU condemns the unprecedented use of force by the regime. It also condemns the continuing widespread and systematic violations of international humanitarian law and human rights in Syria, including increasing attacks on religious and ethnic communities. Only a political solution that results in a united, inclusive and democratic Syria can end the terrible bloodshed, and grave violations of human rights.
2. The EU welcomes the call of UNSG Ban Ki-Moon for a peace conference in Geneva before the end of November. It urges all sides of the conflict to respond positively to this call and to adhere publicly to a credible political transition based on the full implementation of the Geneva Communiqué. The EU reiterates that the objective of the Conference must be the swift establishment, by mutual consent, of a transitional governing body (TGB) with full executive powers and control of all governmental and all security institutions. The EU also considers that, in full conformity with the Geneva Communiqué, the parties will have to agree during the Conference on clear and irreversible steps and a short timeframe for the political transition. International participants of Geneva II should adhere to the principles included in the Geneva Communiqué.

The EU calls on the opposition to come together and participate actively at the conference and encourages the National Coalition of the Syrian Revolutionary and Opposition Forces (SOC) to take a leading role during negotiations. The EU stands ready to continue engaging with and to support the Coalition in these endeavours and its relations with the international community at large.

3. The EU stood united in condemning in the strongest terms the horrific chemical attack perpetrated on August 21. That attack constituted a blatant violation of international law, which amounts to a crime against humanity and a war crime under the Rome Statute of the International Criminal Court (ICC). These crimes, as well as other atrocities and human rights violations and abuses must be investigated and perpetrators and those ordering these crimes must be held accountable. The EU reaffirms that there should be no impunity for any such violations, including those committed with either chemical and conventional weapons or other means, and recalls that the UNSC can refer the situation in Syria to the ICC – as requested in the Swiss letter to the SC of 14 January 2013 – at any time.

The EU is seriously concerned with the growing involvement of extremist and foreign non-state actors in the fighting in Syria, which is further fueling the conflict and posing a threat to regional stability. The EU calls on all relevant parties to halt the support to these groups.

4. The EU welcomed the OPCW Executive Council Decision and UN Security Council resolution 2118 (2013) on 27 September, which decided that the Syrian Arab Republic shall eliminate all chemical weapons material and equipment by the first half of 2014. The Syrian Arab Republic must now meet all its obligations in the most complete, diligent and transparent manner. The EU calls on all sides to ensure free and unfettered access of inspectors to all sites. The EU is concretely supporting the UN-OPCW joint mission in carrying out its important and urgent tasks and stands ready to consider further support.
5. The EU reaffirms its commitment as the largest donor to providing assistance, including humanitarian aid, to the Syrian people on a continuing basis, which now amounts to close to €2 billion, and agrees on the attached common messages on humanitarian aspects of the Syria crisis. All efforts must be made to ensure that humanitarian aid reaches all people in need in Syria and that full access is granted to humanitarian aid agencies. The EU welcomed the October 2nd presidential statement of the Security Council on the humanitarian situation in Syria (S/PRST/2013/15). This presidential statement must be fully implemented, and the EU welcomes the efforts that are being made by the UN, in particular OCHA, in this regard. All parties, in particular the Syrian authorities, must take all appropriate measures to facilitate safe and unhindered humanitarian access to populations in need of assistance in the entirety of the Syrian territory, including across conflict lines and across borders from neighbouring countries. The EU calls on all sides of the conflict to allow for local ceasefires to facilitate humanitarian work and to respect all obligations under international humanitarian law.

The EU expresses deep concern for the fate of millions of Internally Displaced Persons (IDPs) and refugees, and commends those countries that keep their borders open in order to provide safe haven for the refugees. The EU renews its commitment to respond to humanitarian needs in Syria and its neighbouring countries. The EU recognises that the dramatic situation of refugees affecting neighbouring countries is also of growing concern to and is having an impact on countries beyond the immediate vicinity of Syria.

6. To facilitate an effective settlement of the crisis, the EU will continue its engagement with and support to the SOC, including in areas under its control. The EU welcomes the creation of the Syria Recovery Trust Fund by the Group of Friends of the Syrian People as an important step to ensure that the assistance needed by the people of Syria is properly delivered.
7. The EU supports a vision of Syria which will live up to the legitimate demands of the Syrian people for a free, open and inclusive political system, in which all Syrians will be involved and enjoy equal rights regardless of their origin, affiliation, religion, beliefs and recognising an important role of women in society. "

EU COMMON MESSAGES ON THE HUMANITARIAN ASPECTS OF THE SYRIA CRISIS

1. All efforts to facilitate an agreement in the UNSC on the need for unfettered humanitarian access and full respect of IHL must be supported.
2. Recognising the central role of OCHA in coordinating humanitarian assistance, the way forward presented by the ERC/USG to the UN Security Council, which is fully in line with the Foreign Affairs Council Conclusions of 27 May 2013, in particular paragraphs 4 and 5 (respect of IHL, protection of civilians, medical personnel, open borders), must be welcomed and supported.
3. The absolute and urgent necessity of the following must be emphasised:
 - All parties to the conflict must respect in full, and be held accountable for violations of International Humanitarian Law and their obligations to protect civilians. There must be zero tolerance by all parties regarding the killing, maiming, abduction and recruitment to armed groups of children, and regarding sexual and gender based violence, noting the particular risks faced by women and children;

- All parties must ensure the safety and protection of all humanitarian workers and medical personnel. They should facilitate free passage of medical supplies to all areas, and safeguard all health facilities and ambulances;
 - Syria should provide the necessary authorisation to scale up humanitarian operations within the country while all parties must facilitate unimpeded access for humanitarian workers to people in need throughout Syria through all possible channels, including cross-border assistance as required by operational necessity;
 - All neighbouring countries should be encouraged to maintain or re-establish open borders in order to provide safe haven for, and equal treatment to refugees, including Palestinian refugees. For their part, all donor countries should in accordance with the principles of burden sharing ensure the fulfilment of pledges already made and, in recognition of the immense burden placed upon, and risks to neighbouring countries continue to provide financial support to enable host countries to respond to the growing humanitarian needs of refugees. All parties should facilitate the delivery of aid based on a transparent, efficient and accommodating regulatory framework;
 - A regional strategy must be developed to strengthen linkages between humanitarian and development assistance across the region, in association with development actors and international financial institutions, one of the main priorities being the reinforcement of local capacities in order to cope with the essential needs of both refugees and affected local populations;
 - Humanitarian aid must be channelled in a way which fully respects the humanitarian principles of neutrality, independence and impartiality.
4. Efficiency and effectiveness of aid is a key issue given the urgency of the situation and the severe financial constraints. The efforts undertaken by OCHA to ensure regular and accurate reporting from all implementing partners, including information on humanitarian needs, ongoing operations and identified gaps, must be strongly supported. All humanitarian partners of the EU and its Member States must be urged to reinforce monitoring of their operations, to participate in coordination mechanisms and to share operational data, to the extent possible. The request from implementing partners not to publicly disclose specific information should be respected, in order not to put local and international staff at risk.
5. The EU and its Member States should increase efforts to coordinate their response in a strategic and operational manner, to avoid duplication and to foster a more coherent and complementary approach. The Commission will take practical measures to that end.

– *Libya*

The Council exchanged views on Libya, in view of recent events. See [remarks](#) by the High Representative following the Foreign Affairs Council.

Myanmar/Burma

In preparation for lunch with Daw Aung San Suu Kyi, the Council was briefed on the preparations for the meeting of the EU-Myanmar/Burma Task Force, to take place on 13-15 November in Yangon and Naypyidaw, and discussed the ongoing reforms in Myanmar/Burma.

OTHER ITEMS APPROVED

FOREIGN AFFAIRS

Relations with Serbia

The Council adopted the EU position for the first meeting of the EU-Serbia Stabilisation and Association Council, to be held in Luxembourg on 21 October.

Bosnia and Herzegovina

The Council adopted the following conclusions:

"The Council recalls its conclusions of July 2013. It expresses serious concern that the third meeting of the High-Level Dialogue on the Accession Process (HLDAP) in October 2013 did not bring the expected results, and in particular at the on-going failure of the Bosnia and Herzegovina political leaders to implement the ECtHR ruling in the Sejdić/Finci case.

The Council expresses its full support to the facilitation efforts led by the EU Special Representative/Head of Delegation and the Commission on this issue. It underlines that it is up to the Bosnia and Herzegovina political leaders to make the necessary progress. It stresses that the current lack of a solution of the Sejdić/Finci issue is preventing Bosnia and Herzegovina to further progress towards the EU. The Council will discuss the issue at its meeting in November.

The Council welcomes the continued presence of Operation Althea, focusing on capacity-building and training while also retaining the capability to contribute to the Bosnia and Herzegovina authorities' deterrence capacity if the situation so requires. 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 an executive military role to support Bosnia and Herzegovina's authorities to maintain the safe and secure environment, under a renewed UN mandate.

It reiterates its agreement to keep the operation under regular review, including on the basis of the situation on the ground, with a view to making progress on the conditions conducive to the delivery of its mandate.

The EU at the same time encourages 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 other outstanding issues.

The Council reiterates its unequivocal support for Bosnia and Herzegovina's EU perspective as a sovereign and united country enjoying full territorial integrity. It reaffirms its commitment to the March 2011, October 2011, and June 2012 Council conclusions. "

Yemen

The Council adopted the following conclusions:

- "1. The European Union salutes the progress accomplished to date by the National Dialogue Conference (NDC). It commends the role played by the transitional Government of Yemen, under the leadership of President Abd Rabbuh Mansour Hadi, in ensuring that such a challenging process could take place. The EU now urges the Delegates to use the recently opened 3rd plenary session to finalise their work. Agreement on the outstanding issues must be followed by formal adoption and genuine implementation of the NDC's recommendations. The conclusion of the work of the NDC will mark an essential step in Yemen's transition process.
2. In line with the Council conclusions of 24 June 2013, the EU reiterates the importance of moving forward with determination in a peaceful, orderly and inclusive transition process that will allow for a constitutional referendum followed by general elections according to the GCC Initiative and its Implementation Mechanism. It also reaffirms its readiness to support inclusive, credible and transparent elections in Yemen. The EU calls on all parties to approach the challenges ahead and address the critical remaining issues, in particular regarding the future model of the State, in a spirit of pragmatism and compromise. The EU also reiterates its concern about acts aimed at undermining, obstructing or derailing the transition process.
3. At the same time the EU encourages the Yemeni authorities to swiftly implement the agreed confidence building measures on southern issues, as outlined in the 20 points recommended by the NDC's preparatory technical committee and the 11 points approved by the NDC, so as to build, among all Yemen's citizens, trust in the positive outcome of the transition process.
4. The EU further calls on the Government of Yemen to undertake urgently needed reforms, such as curtailing public sector corruption, improving the management of the public administration (in particular by removing "ghost workers" from the civil and security services), taking steps towards a gradual subsidy reform in a spirit of social cohesion, and implementing the Youth Employment Action Plan. The EU also calls on the Government of Yemen rapidly to conclude an agreement with the International Monetary Fund. Without these steps economic recovery and improvement of Yemen's dire humanitarian situation will not be possible.

5. The EU expresses its concern about the fragile security situation in Yemen and the increase in attacks. The EU strongly condemns the attack in Sana'a on 6 October during which a member of the German Embassy staff was killed. The EU calls on the Yemeni authorities to do their utmost to investigate this and previous incidents and to improve the security in Sana'a and in the whole of the country. The EU is also deeply concerned about the increasing number of kidnappings in Yemen, including to elicit ransom payments to strengthen terrorist groups. Security is an essential element in Yemen's successful transition.
6. In this regard, the EU will continue to support the efforts of the Yemeni government to improve the security situation. The EU reaffirms its commitment to stand by the Yemeni authorities and people in their endeavour to secure a better future for their country."

EU cooperation with Egypt

The Council adopted conclusions on special report no 4/2013 of the Court of Auditors concerning EU cooperation with Egypt in the field of governance. Click [here](#) to see the full text.

Central African Republic

The Council adopted the following conclusions on the Central African Republic:

- "1. The European Union (EU) is deeply concerned by the situation in the Central African Republic (CAR), where insecurity and the complete collapse of public order are exposing the civilian population, in particular children, who are the most vulnerable, to serious human rights violations. The humanitarian situation is alarming: the entire population is considered to be at serious risk.
2. The EU supports the decisive action by the African Union (AU) and the Economic Community of Central African States (ECCAS), and regional mediation efforts, to contribute as a matter of urgency to the stabilisation of the CAR, a country located at the crossroads of several areas weakened by years of crisis or conflict, poaching, the presence of foreign armed groups including the Lord's Resistance Army and the rise in transnational terrorist threats. It encourages the urgent operational implementation of the African led International Support Mission in the Central African Republic (MISCA) and in this context it welcomes the adoption of United Nations Security Council Resolution 2121 (2013).

3. The EU recalls the importance it attaches to the protection of civilian populations, to the observance of human rights and to compliance with international humanitarian law. The Central African Republic bears the primary responsibility for fulfilling these obligations. The EU urges it to take tangible measures to restore the rule of law, public order and security in the whole country as quickly as possible, inter alia to ensure the unhindered and safe implementation of humanitarian action. It also stresses the importance of putting an end to violent acts, in particular against children and women, including sexual violence, and to the recruitment and employment of child soldiers. The EU urges the transitional authorities to make every effort to prevent a worsening of inter community tensions and to support the initiatives aimed at easing them. Those responsible for human rights violations must be held accountable for their actions in court.
4. The EU reiterates its commitment to the Libreville agreements of 11 January 2013 and to the N'Djamena declaration of 18 April 2013 that form the basis for a peaceful political resolution to the crisis in the Central African Republic. It calls on all the transitional authorities to steer the transition process inclusively and in good faith until elections are held between now and early 2015 that meet international standards and lead to the restoration of the constitutional order.
5. The scale of the crisis that is spreading through the Central African Republic calls for a strong, swift and coordinated international mobilisation. The EU welcomes the efforts undertaken by the United Nations, as well as the high level meeting on the humanitarian crisis in the CAR that was held in the margins of the General Assembly of the United Nations on 25 September 2013 in New York.
6. The EU also welcomes the appointment by the United Nations Human Rights Council of an independent expert to focus on the human rights situation in the CAR. It encourages the country's transitional authorities to cooperate fully with this expert.
7. The EU will pursue its commitment laid down as part of a comprehensive approach to stabilising the situation in the CAR, including by means of financial support to MISCA. In this regard the Council requests the Commission to provide for the urgent mobilisation of the African Peace Facility.
8. The EU supports the action of the United Nations on the ground via BINUCA, whose mandate has been strengthened by Resolution 2121 (2013) to focus on three priorities: political mediation and preparation of elections, human rights and humanitarian access.

9. The EU is the Central African Republic's largest donor. In particular, it provides significant humanitarian aid, which has already been reinforced twice in 2013. The Council welcomes and fully supports in its entirety the Union's humanitarian action to assist vulnerable populations in the CAR and its advocacy efforts to raise awareness of this crisis. The EU remains determined to support the transitional authorities' efforts to restore the administration and to ensure that it functions properly and impartially.
10. The EU will continue its development aid to the CAR, in particular in order to meet the needs of the population. Owing to the security situation some projects have had to be suspended, whilst others have slowed down or been refocused to take better account of the current situation. All the projects will resume at a steadier pace once the security situation on the ground allows. The transition roadmap will provide the focus for additional operations during the political transition period.
11. The EU encourages the international partners, including the AU, to increase their support to the Central African Republic and to endorse international initiatives to assist with the transition process in the country."

Guinea - restrictive measures

The Council extended the EU restrictive measures against the Republic of Guinea until 27 October 2014. The sanctions consist of restrictions on admission to the EU and asset freezes.

Support for the International Atomic Energy Agency

The Council allocated €8.05 million from the EU budget to support the activities of the International Atomic Energy Agency (IAEA) in the areas of nuclear security and verification. The funds will be used to promote the universalisation of international non-proliferation and nuclear security instruments, to enhance the protection of proliferation-sensitive materials and equipment, as well as to strengthen the detection of, and response to, illicit trafficking of nuclear and other radioactive materials.

EU policies to combat the proliferation of weapons of mass destruction

The Council adopted conclusions ensuring the continued pursuit of an effective EU policy on the new challenges presented by the proliferation of weapons of mass destruction (WMD) and their delivery systems, as set out [here](#).

EU annual report on human rights and democracy

The Council adopted the second part of the EU annual report on human rights and democracy (country reports), see [15144/13](#). The first part (thematic reports) was adopted on 6 June 2013.

DECISIONS TAKEN BY WRITTEN PROCEDURE**Updated forecast of own resources**

By written procedure ending on 21 October, the Council adopted its position on the draft amending budget no 6, approving a revision of the forecast of own resources¹. As compared to the previous forecast, the financing from net customs duties and from the own resources based on the VAT decreases (by EUR 4.0 billion and EUR 383.8 million respectively), while the financing from the own resources based on the Gross National Income and from fines increases (by EUR 3.1 billion and EUR 1.2 billion respectively).

¹ The Finnish delegation voted against.