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NOTE

from: General Secretariat of the Council
to: Delegations

Subject: Partial summary record of the meeting of the European Parliament **Committee on Foreign Affairs (AFET)** held in Brussels on 17 November 2014 - Items 3 to 8 and 10 on the agenda

The Committee, chaired by Mr BROK (EPP, DE) and Mr PLENKOVIC (EPP, HR) held exchanges of views with:

- **the Ukrainian Foreign Affairs Minister Mr Pavlo KLIMKIN,**
- **the Managing Director for North Africa, the Middle East, the Arabian Peninsula, Iran and Iraq at the EEAS, Mr Hugues MINGARELLI, and**
- **the Executive Secretary-General of the EEAS, Mr Pierre VIMONT.**

AFET reiterated its support for Ukraine, while Minister KLIMKIN viewed the Minsk agreements as the only viable way forward to ensure a sustainable cease-fire and the de-escalation of tensions in eastern Ukraine.

Mr MINGARELLI stressed the need to counter the advance of the Islamic State of Iraq and the Levant (ISIL) in Syria and Iraq whereas Mr VIMONT explained that the FAC had mainly focused on the situation in Ukraine.

In addition AFET:

- **approved the Association Agreements with Georgia and**
- **discussed the passenger name record (PNR) agreement between the EU and Canada.**

Whereas the EPP and ECR groups favoured a quick agreement with Canada, the S&D and the Greens/EFA expressed reservations, and the ALDE group rejected the agreement altogether.

3. Exchange of views with Pavlo Klimkin, Minister of Foreign Affairs of Ukraine, on the situation in Ukraine

Minister KLIMKIN stressed the result of the 26 October elections and the clear support for Ukraine's European vocation. He called for the swift implementation of the required reforms (fight against corruption, decentralisation, good governance, rule of law, civilian security, and economic reforms) to pave the way for the *bona fide* application of the Association Agreement with the EU, and saw the EU's continuous assistance in the process as vital. He viewed the Minsk agreements as the only viable way towards de-escalation in eastern Ukraine and denounced the illegal elections on 2 November in the separatist-held areas of Donetsk and Luhansk, as well as the continuous violations of the ceasefire and the reports of convoys moving in rebel-held areas with substantial amounts of heavy weapons, tanks and troops from across the Russian border.

Several MEPs from the main political groups (EPP, S&D and ECR) welcomed the results of the parliamentary elections held in October and reiterated their support for the Ukrainian state and its programme of reforms and EU integration. However, Mr NART(ALDE, ES) pointed to the low rate of turnout which according to him called into question the strength of the reform process.

MEPs also asked Minister KLIMKIN about progress in the coalition talks (Mr PLENKOVIĆ -EPP, HR), the timeline for reforms (Ms GOMES -S&D, PT), Ukraine's decentralisation process (Mr DEMESMAEKER -ECR, BE), the prospects for the implementation of the Minsk agreements (Mr KELAM -EPP, ET), the role of the OSCE Special Monitoring Mission (Ms HARMS -Greens/EFA, DE), coordination with the EU (Mr LANDSBERGIS -EPP, LT), the situation in Crimea (Mr AUŠTREVČIUS -ALDE, LT), human rights violations and humanitarian aid (Ms SAKORAFI -GUE/NGL, EL), the Malaysian crash investigations (Mr BAALEN - ALDE, NL), and the fight against corruption and Ukraine's energy strategy.

Minister KLIMKIN downplayed the low turnout in the elections and stressed once more the strong result obtained by pro-European parties, which were actively engaged in drafting the coalition agreement. He repeated his calls for EU support in the reform and anti-corruption process through the coordination of efforts and rejected the Russian notion of federalisation, which he claimed had been designed to prevent further EU integration, favouring instead a process of decentralisation to give more power and autonomy to regions and local communities.

He denounced the violation of human rights in Crimea and in the separatist-held regions and called for the deployment of a full-scale OSCE mission to prevent the violation of human rights, enable humanitarian aid, ensure a sustainable cease-fire and restore control of the Ukrainian/Russian border. He considered it important to involve the EU and the US in the negotiations with Russia through the "Geneva format" to settle the conflict in eastern Ukraine. He briefed the Committee on the latest developments in the investigation of the MH17 crash and on the temporary gas deal reached between Russia and Ukraine, and considered the Mistral deal to be contrary to EU values and potentially detrimental for Ukrainian and European security, urging therefore the French authorities to find an alternative solution. Finally, he thanked the EP for its support.

***** Voting time *****

4. Association Agreement between the EU and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part

AFET/8/00386 2014/0086(NLE)

Rapporteur: Andrejs Mamikins (S&D)

- Adoption of a draft report

The draft report was approved, with 46 votes in favour, two against and three abstentions.

5. Conclusion of an Association Agreement between the European Union, of the one part, and Georgia, of the other part

Rapporteur: Andrejs Mamikins (S&D)

AFET/8/01045 2014/2816(INI)

- Adoption of a draft report

The draft report was approved, with 49 votes in favour, three against and four abstentions.

***** End of vote *****

6. Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data

AFET/8/00195 2013/0250(NLE)

Rapporteur for the opinion: Charles Tannock (ECR)

- Consideration of draft opinion

Mr DEMESMAEKER (ECR, BE), on behalf of Mr TANNOCK (ECR, UK), listed the main elements of the agreement, which included: limited storage periods of data, strict purpose limitation clauses, significant degrees of access rights and ratification processes. He felt that the agreement offered improved data protection and access rights to EU citizens, and that it ensured vital cooperation between the EU and Canada. He therefore suggested the Committee give its consent to the agreement.

However there was no agreement in the Committee over the consent. Whereas the EPP and the ECR groups favoured a quick agreement, the S&D and the Greens/EFA expressed reservations about it, and the ALDE group rejected it altogether.

Mr KOVATCHEV (EPP, BG) considered the Passenger Name Record agreement to be in line with EU data protection law and called for the swift adoption of the agreement. Mr ASSIS (S&D, PT) noted that the European Court of Justice had been highly critical of other similar agreements and therefore called for consistency at European level and for the adoption of precise EU rules on the retention of EU citizens' data. Ms NEYTS-UYTTEBROECK (ALDE, BE), on behalf of Ms SCHAAKE (ALDE, NL), reiterated her calls to the European Parliament not to give its consent to the agreement because of doubts about the appropriateness of the legal base, among other reasons. Finally, Mr BUCHNER (Greens/EFA, DE) asked if the fight against terrorism justified agreements on exchange of data. Moreover, he was convinced that there were better ways to fight terrorism.

7. Exchange of views on the latest developments in Syria and Iraq with Hugues Mingarelli, Managing Director for North Africa, the Middle East, the Arabian Peninsula, Iran and Iraq at the European External Action Service

Mr PLENKOVIC (EPP, HR) mentioned the attempts by the United Nations Special Envoy in Syria, Mr de MISTURA, to promote local cease-fires in order to hold off fighting, facilitate humanitarian aid and to gain time to facilitate a political solution. He also referred to the agreement between the Iraqi federal government and the Kurdistan regional government on budget payments and oil exports, which he considered to be an important development for the stability and integrity of Iraq.

Mr MINGARELLI admitted the need to counter the advance of the Islamic State of Iraq and the Levant (ISIL). He referred to the latest actions of the US led international coalition made up of Arab and western countries which according to him had contained ISIL's progress in the region. However he admitted that aerial bombardments were not enough and had to be complemented with forces on the ground. He said that the EU and Turkey ought to develop a joint strategy against foreign fighters, and that Iraq's government had to adopt an inclusive policy involving the Kurds and the Sunni community to ensure the equal sharing of resources with the Shiite community.

On Syria, he noted that it was widely accepted that President Assad's regime should not be part of the solution. However he claimed that it was essential to include all key players in the region in subsequent attempts to revive peace talks. He also referred to the spill-over effects of the Syrian crisis in the adjacent countries including Lebanon and Jordan.

MEPs focused on possible interferences by Iran in Syria and Iraq (Ms ALLIOT-MARIE -EPP, FR and Ms NEYTS-UYTTEBROECK -ALDE, BE), on the role of the EU in the international coalition and that of Turkey in the region (Mr HOWITT -S&D, UK), on the role of Russia in both conflicts (Mr DEMESMAEKER -ECR, BE), on the role and influence of civil society in Syria and Iraq (Ms LOCHBIHLER -Greens/EFA, DE), on the situation in Libya (Ms GOMES -S&D, PT), on the impact in neighbouring countries and the role of the Gulf countries in the fight against ISIS (Mr AUŠTREVČIUS -ALDE, LT).

Additionally, Ms GOMES was very critical of the EU's role in the region, while Mr JUREK (ECR, PL) expressed concerns about the atrocities committed against the Christian community. Ms CEBALLOS (Greens/EFA, SE) was interested in knowing how to improve humanitarian aid in the region, while Mr KHAN (S&D, UK) queried the effectiveness of the training provided by the US to the Iraqi army and the impact the coming referendum in Kurdistan might have on Iraq's integrity. Finally, Mr NART (ALDE, ES) underscored the fragmentation of the opposition in Syria.

In response, Mr MINGARELLI said that Iran fully supported the Assad regime, and that without Iran's support and that of Hezbollah the balance of power in the region would be quite different. He explained that the role of the Gulf States in Syria was not always clear, but that at present they had joined the international coalition to try to contain and destroy ISIL.

He said that the role of the EU in the region was two-fold: while eight Member States were militarily and logistically involved in the region, the EU's role was merely political. He pointed out that Turkey's role in the region had evolved from initially tolerating the passage of foreign fighters through its territory to directly opposing ISIL.

Mr MINGARELLI added that at present Turkey had engaged in cooperation with the EU to better police its borders in order to prevent the flow of foreign fighters, military material and funding sources to ISIL.

Despite the recent agreement between Kurdish authorities and the Iraqi federal government, he did not rule out the disintegration of Iraq completely. In his opinion the EU should contribute actively to maintaining the territorial integrity of Iraq. He viewed sectarian divisions instigated by former President MALIKI as one of the main causes of the rise of ISIL in Iraq and considered it essential to ensure that the training provided by the US to the Iraqi army was flanked by inclusive policies. He admitted that between five and ten Member States had not yet ratified the cooperation agreement with Iraq and that this should be done swiftly to allow the full implementation of the agreement. He acknowledged the need to help the Kurds manage the influx of refugees and displaced people in their territories in Iraq and Syria, but that access remained difficult especially in Syria due to the many obstacles created by the authorities in Damascus. He said that the situation in Turkey was more complex since the Kurdistan Workers' Party was considered to be a terrorist organisation. Finally, he regarded the situation in Libya to be quite bad but rejected any links with Syria and Iraq.

8. Debriefing on the Foreign Affairs Council of 17 November 2014 by Pierre Vimont, Executive Secretary-General of the European External Action Service

Mr VIMONT noted that the bulk of discussions centred around Ukraine. He underlined the seriousness of the situation, which justified a more active role by the EU to ensure the implementation of the Minsk agreements. He reiterated the Council's support for the work carried out by the Organisation for Security and Cooperation in Europe and mentioned that additional listings targeting separatists were being considered. Moreover, he reaffirmed the Council's commitment to fully implement its policy of non-recognition of the illegal annexation of the Crimean peninsula.

On the Middle East peace process, he mentioned the visit to the region of the High Representative, Ms MOGHERINI. He claimed that progress was being hampered by domestic developments in Israel and Palestine, and that the Palestinian Authority should amend its proposal for a United Nations Security Council resolution setting a deadline for the recognition of a Palestinian state to make it more 'palatable' to a majority of members of the Security Council. Finally he referred to the discussions on the recognition of a Palestinian state in several Member States.

On Ebola, He mentioned the debrief by Commissioner STYLIANIDES on his African tour.

Mr VIMONT said that despite improvements in Liberia, the situation remained fragile in Sierra Leone and Guinea, where more resources were needed. He also noted that Member States had welcomed the new initiative by Germany and France to set up a white helmet capacity but that they had decided to discuss it outside the context of the Ebola crisis.

On Bosnia and Herzegovina (BiH), he mentioned the new initiative by Germany and Great Britain to solve the current deadlock with Bosnian authorities in order to give new momentum to the reform process.

On Libya, he acknowledged the seriousness of the situation on the ground and the need to support the efforts by the United Nations Special Representative, Mr Bernardino de LÉON, to resume the process of national dialogue following the negative decision of the Libyan Constitutional Court on the validity of the general elections.

Finally he said that the Foreign Affairs Council had discussed ways to improve its workings, including the need to have a shorter agenda and one key political debate per session, as well as to hold some informal sessions in addition to the monthly FAC meetings.

In the subsequent exchange of views, Mr PETERLE (EPP, SL), Mr HOWITT (S&D, UK) and Mr KUKAN (EPP, SK) praised the Council's emphasis on reforms in Ukraine and in BiH.

As regards Ukraine, Mr DEMESMAEKER (ECR, BE) referred to the humanitarian aid question in the region and enquired about the effectiveness of the measures taken so far to persuade Russia to adopt a more constructive stance. Mr MILLÁN MON (EPP, ES) asked what kind of format would be the most adequate in terms of discussions to foster a satisfactory solution in Ukraine.

On BiH, Mr KUKAN considered the Anglo-German proposal ambitious and original and viewed it as a last opportunity to overcome the standstill between the EU and BiH, while Mr HOWITT asked if the Council had taken any decisions on the Anglo-German initiative.

Finally Ms GOMES (S&D, PT) focused on the Middle East process and Libya. She asked if the visit by the HR to Gaza could help accelerate the recognition of a Palestinian state and was highly critical of the lack of coordination between the EU and its Member States in Libya.

In response, Mr VIMONT reiterated the need for Ukraine to deliver on the agreed reforms and restated the EU's commitment to contribute to a political settlement in the region. He noted the will of several EU countries to confirm whether the Russian pledges to avoid a frozen conflict in the region and to respect Ukraine's territorial integrity were genuine, and acknowledged the violation of human rights in the region, admitting in the process that the need for humanitarian aid in the region could become more pressing in the coming months.

According to Mr VIMONT the sanctions against Russia seemed to be proving effective. They explained in part the current economic difficulties experienced by Russia, which he claimed were also due to falling oil prices.

On BiH, he said that the FAC had welcomed the new Anglo-German proposal, which would be considered in conjunction with other proposals made by Croatia and the Benelux countries.

On Palestine, he referred to the slow pace of reconstruction in Gaza. He advocated talks between all the key players including the US and mentioned attempts to revive the Beirut Initiative. He also explained that the recognition of the Palestinian state fell exclusively under the competence of Member States and that in some cases national governments and national parliaments had different positions.

Finally he agreed that EU interests in Libya were at stake, and that it was imperative to mobilise the international community to address security concerns and potential spill overs in the region.

10. Date of next meeting

The next meeting would be held in Strasbourg on 24 November 2014.
