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## OUTCOME OF THE COUNCIL MEETING

3587th Council meeting

**Foreign Affairs**

**including Development**

Brussels, 11 December 2017

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

# P R E S S

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Rue de la Loi 175 B – 1048 BRUSSELS Tel.: +32 (0)2 281 6319 Fax: +32 (0)2 281 8026  
[press.office@consilium.europa.eu](mailto:press.office@consilium.europa.eu) <http://www.consilium.europa.eu/press>

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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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## **ITEMS DEBATED**

### **FOREIGN AFFAIRS**

#### **Middle East**

The Council held discussions on the latest developments in the wider Middle East. Ministers looked at how the EU can help limit escalation and preserve stability in the region, as well as consolidate progress in countries such as Lebanon. They underlined the importance of continuing to ensure that Lebanon builds on the achievements of recent months, putting the interests of the Lebanese people first, and that it does not become further victim of external interference.

Ministers expressed their concern at the serious deterioration of the situation in Yemen, which is witnessing the onset of a grave humanitarian catastrophe. They agreed to continue working towards re-invigorating UN-led efforts towards a political solution to the conflict in Yemen, in line with the relevant UN Security Council resolutions.

Ministers also reiterated continued EU support for the efforts of UN Special Envoy de Mistura in Syria, which remains essential for finding a negotiated political solution in accordance with UN Security Council resolution 2254. The EU will host a second Brussels conference in the spring on support for the future of Syria and the region to show renewed international solidarity and support.

#### **G5 Sahel**

Foreign ministers discussed EU-G5 Sahel cooperation over lunch with their counterparts of the G5 Sahel (Mauritania, Mali, Burkina Faso, Niger and Chad) and ways to enhance their cooperation further.

#### **Africa Union - European Union summit**

Foreign ministers and development ministers then discussed the follow-up to the African Union - EU summit, which took place in Côte d'Ivoire on 29-30 November 2017. Ministers underlined the importance of the summit and the need to continue working with African partners in an inclusive way. Involvement of youth and civil society should continue to be a key element in EU-Africa relations.

## **Iraq**

Ministers underlined the importance of continuing and strengthening the EU's engagement with Iraq. The High Representative and the Commission are expected to present a proposal for a new strategy in January 2018.

## **In the margins**

The High Representative and the EU foreign ministers had an informal breakfast with the Prime Minister of Israel, Benjamin Netanyahu, in the margins of the Council. The meeting was an opportunity for the European Union to reiterate its united and clear messages on the status of Jerusalem as the future capital of two states, the importance of preserving a two-state solution and, in relation to regional issues, on the need to continue implementing the JCPOA (Iran nuclear deal).

## **FOREIGN AFFAIRS/DEVELOPMENT**

### **Aid for trade**

On 11 December, development ministers discussed and adopted conclusions on the updated strategy on aid for trade, as presented in the Commission communication of November 2017 'Achieving prosperity through trade and investment: updating the 2007 joint EU strategy on aid for trade'.

The conclusions reflect the Council's position on the updated EU strategy on aid for trade, which aims to improve the integration of developing countries into the international trading system and to enable trade and investment to contribute to reducing poverty.

The initial 'aid for trade' strategy was adopted in October 2007 in response to the WTO-led initiative of the same name. The updated strategy follows up on and reflects the policy priorities of the UN's 2030 agenda on sustainable development adopted in September 2015 and the European consensus on development endorsed by the EU and its member states in June 2017. The main objectives of the revision are to improve complementarity between trade and development policies and to increase the effectiveness of the strategy, enhancing allocations to the least developed countries, countries in situations of fragility and countries affected by conflict.

The updated strategy aimed in particular to increase the synergies between the different development financing tools that the EU and its member states use to promote aid for trade; and to enhance the impact of aid for trade programmes, through greater engagement with the private sector, civil society, and local authorities. The strategy also aims to ensure increased trade benefits for all in society, including women.

EU 'aid for trade' complements other trade policy measures in favour of developing countries. These relate in particular to the EU's generalised scheme of preferences (GSP and GSP+ and Everything But Arms), which allows developing countries to pay less or no duty on their exports to the EU, and to bilateral trade agreements with trading partners. For example, the economic partnership agreements (EPAs) between the EU and African, Caribbean and Pacific (ACP) countries create preferential trading conditions while protecting sensitive sectors of ACP economies.

The EU and its member states' aid in support of trade and productive capacities reached more than €3 billion in 2015, and almost €100 billion over the period 2008-2015. This represents a third of global aid for trade and makes the EU the biggest aid donor worldwide. In addition, an independent study on the economic benefits generated by EU trade regimes towards developing countries conducted in 2015 concluded that EU trade policy had significantly increased exports from developing countries and contributed to their economic diversification.

Full text of the [conclusions](#).

### **Operationalisation of the humanitarian and development nexus**

The High Representative and the Commission informed the Council on the state of play of the operationalisation of the humanitarian and development nexus, in particular as regards the pilot projects launched with partner countries: Chad, Iraq, Myanmar, Sudan and Uganda.

In May 2017, the Council adopted conclusions aiming at encouraging further complementarity and coordination between humanitarian and development cooperation and increasing the effectiveness of the EU's response in situations of fragility, protracted crises, forced displacement and other humanitarian crises by strengthening the collaboration of all actors on the ground.

[Council conclusions on operationalising the humanitarian-development nexus](#)

## **OTHER ITEMS APPROVED**

### **FOREIGN AFFAIRS**

#### **Permanent Structured Cooperation - PESCO**

The Council adopted a decision establishing Permanent Structured Cooperation (PESCO), less than a month after receiving a joint notification by member states of their intention to participate.

The 25 member states participating in PESCO are: Austria, Belgium, Bulgaria, Czech Republic, Croatia, Cyprus, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Ireland, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovenia, Slovakia, Spain and Sweden. On 13 November 2017, ministers from 23 member states signed a joint notification on the Permanent Structured Cooperation (PESCO) and handed it over to the High Representative and the Council. On 7 December 2017, Ireland and Portugal also notified their decision to join PESCO.

Permanent Structured Cooperation in the area of security and defence policy was introduced by the Lisbon Treaty. It foresees the possibility of a number of EU member states working more closely together in the area of security and defence. This permanent framework for defence cooperation will allow willing and able member states to develop jointly defence capabilities, invest in shared projects, and enhance the operational readiness and contribution of their armed forces.

The Council decision establishing PESCO sets out:

- the list of participating member states
- the list of ambitious and more binding common commitments undertaken by the participating member states, including "regularly increasing defence budgets in real terms in order to reach agreed objectives"
- the PESCO governance, with an overarching level maintaining the coherence and the ambition of the PESCO, complemented by specific governance procedures at projects level
- administrative arrangements, including the secretariat functions for PESCO at the level of projects and financing



Member states participating in PESCO also adopted a declaration at the same time as the adoption of the decision establishing PESCO. The declaration welcomes the political agreement identifying an initial list of 17 projects to be undertaken under PESCO. The projects cover areas such as training, capability development and operational readiness in the field of defence. These initial projects are expected to be formally adopted by the Council in early 2018.

The decision establishing PESCO foresees that the Council, by unanimity of the representatives of member states participating in PESCO, will adopt further decisions and recommendations in a number of areas, including to establish:

- the list of projects to be developed under PESCO (expected early 2018)
- a common set of governance rules for projects, which could be adapted for individual projects
- the general conditions under which third States could be invited to participate in individual projects.

[Decision establishing Permanent Structured Cooperation \(PESCO\) and determining the list of Participating Member States](#)  
[Declaration on PESCO projects by member states participating in PESCO](#)

### **Council Conclusions on the DRC**

The Council adopted the following conclusions on the Democratic Republic of the Congo:

- "1. The holding of credible, transparent, inclusive and peaceful elections should make it possible to overcome the political crisis by allowing a democratic transition in the Democratic Republic of the Congo (DRC) in accordance with its Constitution, which limits the number of presidential terms of office, the New Year's Eve (Saint-Sylvestre) Political Agreement, United Nations Security Council resolution 2348 (2017) and the African Charter on Democracy, Elections and Governance.

2. Following the announcement on 5 November 2017 of the electoral calendar, the EU stresses that the Government and the institutions in charge of organising the elections, especially the Independent National Electoral Commission (CENI), bear primary responsibility for the effective and immediate implementation of measures and actions to ensure that the calendar is adhered to through a credible, legitimate, consensual and inclusive process in accordance with the New Year's Eve Political Agreement. Recalling that the UN Security Council has, together with the African Union, repeatedly called for the swift publication of a credible and consensual electoral calendar, the EU believes that it will be of critical importance, in particular for the legitimacy of the institutions in charge of the transition, to respect the election date which has now been set for 23 December 2018.
3. The EU strongly condemns the human rights infringements and acts of harassment carried out against opposition politicians, representatives of the media and civil society and human rights defenders. Such acts are incompatible with democratic principles and respect for the fundamental freedoms enshrined in public international law. The EU stresses that the Constitution must be respected and that it is a matter of urgency for the Government to fully implement all the measures to ease political tension as provided for in the New Year's Eve Agreement in order to establish credible and inclusive election conditions, reinstate trust between stakeholders and ease political tension, including in particular the release of all political prisoners, an end to unjustified prosecutions, an end to the duplication of political parties, freedom of the press and the reopening of closed media outlets. The EU also calls for the freedom of assembly and of peaceful protest to be respected.
4. Against this backdrop, the EU reaffirms its willingness to support credible and inclusive elections in cooperation with all Congolese actors and their partners, in particular the United Nations, the African Union, the SADC, the ICGLR and the OIF. In carrying out its technical and financial support, the EU will assess the implementation of the measures referred to in the paragraphs above concerning the application of the New Year's Eve Agreement, on which the legitimacy of the transition is founded, as well as respect for human rights and the lifting of restrictions on political space, and the necessary measures to ensure a transparent and inclusive electoral process, the scrupulous application of the new electoral calendar, the publication of a credible budget and a realistic payment plan, the adoption of the requisite electoral law and a reliable update of the electoral register. The EU will work alongside its international partners, in particular in the joint team of election experts, which must have access to the information necessary for it to perform its task of monitoring the implementation of the electoral process, including the full participation of women.

5. The EU joins with the other actors in the international community, in particular the United Nations, in condemning the serious violations and abuses of human rights and fundamental freedoms in the DRC, and the violations of international humanitarian law in Kasai in particular. The EU remains deeply concerned by the worsened security situation in Kasai, Tanganyika and the east of the DRC, which is affecting women and children in particular. It recalls the primary responsibility of the Congolese authorities, in particular the DRC Armed Forces, in protecting populations. In the framework of the resolution on Kasai adopted by the 35th session of the Human Rights Council with the support of the Congolese authorities, the EU will follow with great attention the mission of the team of international experts established by the Office of the High Commissioner for Human Rights. This resolution commits the DRC, as a Human Rights Council member, to granting the experts free and unimpeded access to the documents, territories and persons concerned, and allowing the team to work in accordance with international standards of independence and impartiality.  
The EU also welcomes the support of the United Nations in the investigations into the assassination of two Security Council experts who were tragically killed in March 2017, and in bringing the perpetrators to justice.
6. The EU welcomes the key role played by the UN Stabilisation Mission in the DRC (MONUSCO) which has just suffered a heavy loss with the attack on 7 December in North Kivu, an attack which left many dead and injured among the Tanzanian contingent, the Congolese military and civilians. The EU endorses the implementation of resolution 2348, supported by the strategic review in the context of MONUSCO, which seeks in particular to improve the civilian protection arrangements and to strengthen their capacity for ensuring the security of a credible and inclusive electoral process and providing it with logistical support.
7. The EU is alarmed by the dramatic humanitarian situation, which has been worsened by the political crisis. There are currently around 4.1 million displaced people in the DRC, which in October 2017 prompted the United Nations to activate the highest level of emergency response in the DRC. The countries in the region are facing an influx of refugees. Moreover, 7.7 million Congolese are food insecure and 1.9 million children are suffering from severe acute malnutrition. The EU supports an increased international response to this humanitarian situation. It recalls the primacy of respect for humanitarian principles and the need to ensure access to the populations concerned in an increasingly difficult security context.

8. In accordance with previous Council conclusions and in line with the United Nations Security Council statement, the EU reminds political leaders, members of the security forces and legal persons that they are individually responsible in the event of serious human rights violations, incitement to violence, actions or statements that hinder the implementation of the political agreement and the organisation of elections within the specified time-frame, and obstructing a solution to the crisis that is consensual, peaceful and respectful of the aspiration of the Congolese people to elect their representatives.
9. The EU will continue to lend its support to the Congolese people, who are facing serious socio-economic challenges on a daily basis. With a view to a lasting solution to the current economic and budgetary crisis and to a fair and inclusive development, the EU calls for the resumption of dialogue with the international financial institutions in a structured manner, and for improved governance, in particular by combating corruption, money laundering and the diversion of public funds, which are also sources of social, economic and political tensions.
10. The EU calls on all Congolese actors, and above all the Congolese authorities and institutions, to play a constructive role in the electoral process, and welcomes the support of external partners in this respect. It also recalls the importance of the role of civil society and women in particular. A solution to the crisis which is peaceful and respectful of the spirit of consensus of the New Year's Eve political agreement and of the aspiration of the Congolese people to elect their representatives will be decisive in defining relations between the DRC and the EU."

### **Council Conclusions on Thailand**

The Council adopted the following conclusions on Thailand:

- "1. The Council reaffirms the importance it attaches to EU relations with Thailand. The Council is appreciative of the constructive role which Thailand plays as the current country coordinator for EU - ASEAN Dialogue Relations.
2. The Council reiterates its call for the urgent restoration of the democratic process in Thailand through credible and inclusive elections and the respect for human rights and fundamental freedoms.

3. The Council recalls with concern that political and civil rights and liberties have been severely curtailed in Thailand following the 2014 military coup. Freedom of expression and assembly remains highly restricted through a number of laws and Orders of the NCPO. Furthermore, civil society activists and human rights defenders continue to face judicial harassment. The Council stresses the importance of such basic freedoms being restored as Thailand proceeds towards democracy, and reiterates the importance it attaches to the role of civil society in a functioning democracy. In this regard, the EU will continue to support civil society organisations and human rights defenders.
4. The Council encourages the Thai authorities to implement the recommendations accepted during the second universal periodic review of Thailand (May 2016).
5. The Council notes the promulgation on 6 April 2017 of Thailand's new Constitution which states that general elections shall take place within 150 days after four required organic laws are promulgated. Furthermore the Council notes that the legislative preparations for holding elections are progressing. In this context the Council welcomes the statement of the Head of the National Council for Peace and Order (NCPO) on 10 October 2017 that the general election would be held in November 2018. The Council urges that the remaining organic laws be adopted as soon as possible and that the Constitutional timetable for holding the election be respected.
6. The Council notes the decision of the Thai military leadership to phase out the practice of prosecuting civilians before military courts for a number of offences since 12 September 2016, including for offences against internal security and lèse majesté offences. The Council urges the Thai authorities not to prosecute civilians before military courts including for lèse majesté offences committed before 12 September 2016.
7. The Council recalls its June 2014 Conclusions which stated that the EU would keep its relations with Thailand under review and would consider further possible measures, depending on circumstances. In the light of the afore mentioned developments, the Council considers it appropriate to pursue a gradual political re-engagement with Thailand.

8. The Council has decided therefore to resume political contacts at all levels with Thailand in order to facilitate meaningful dialogue on issues of mutual importance, including on human rights and fundamental freedoms, and the road towards democracy. The EU and its Member States will make full use of such contacts to raise these issues of concern.
9. The Council looks forward to the progressive deepening of relations with Thailand following the holding of credible and inclusive elections and improvements in the human rights situation. The EU looks to the Thai authorities to ensure a political environment in which opposition parties and civil society can function freely.
10. In this context, the Council invites the Commission to explore with Thailand the possibilities for resuming talks on an EU-Thailand Free Trade Agreement (FTA).
11. The signing of a Partnership and Cooperation Agreement (PCA) and the full resumption of Free Trade Agreement (FTA) negotiations with Thailand, may then be pursued with a democratically elected civilian government under the new Constitution.
12. The Council reiterates that it will continue to keep its relations with Thailand under review with particular emphasis on the following areas:
  - the lifting of restrictions on freedom of expression and media as well as on freedom of assembly and association, the lifting of restrictions on activities of political parties and civil society organisations including the respect and support for the activities of human rights defenders;
  - the holding of credible and inclusive elections in line with international standards leading to fully functioning democratic institutions;
  - the installation of a democratically elected civilian government under the new Constitution.
13. The European Union is ready to assist Thailand in attaining these objectives, in the spirit of partnership.
14. The Council invites the High Representative together with the Commission to monitor and keep the Council informed about progress achieved."

## **Sanctions on the Democratic Republic of the Congo**

The Council prolonged the sanctions against the Democratic Republic of the Congo for one year, until 12 December 2018. These sanctions consist of an asset freeze and a travel ban. They target 16 persons and were adopted in response to obstacles made to a consensual solution to the crisis. The Council adopted these sanctions on 12 December 2016 and on 29 May 2017.

## **EU-Afghanistan cooperation agreement on partnership and development**

The Council agreed on the rules of procedure of the Joint Committee established by the Cooperation agreement on partnership and development between the European Union and the Afghanistan. The rules of procedures will be adopted by the Joint Committee at its first meeting. The Council also agreed on the setting-up of two special working groups.

[EU-Afghanistan relations, factsheet](#)

## **Support to the global conflict weapon monitoring initiative iTrace III**

The Council adopted a decision to support the global reporting mechanism on illicit small arms and light weapons and other illicit conventional weapons and ammunition to reduce the risk of their illicit trade ('iTrace III'). This will reduce the risk of illicit trade in these items, including by providing relevant and timely information about illicit arms trafficking to national arms exports authorities so as to contribute to Europe's collective security, in line with the EU Global Strategy.

[iTrace](#)

## **19th Annual report on EU exports of military technology and equipment**

The Council took note of the 19th Annual Report on EU exports of military technology and equipment.

## **Fissile material**

The Council decided to provide support to the African, Asia-Pacific, Latin American and Caribbean regions to participate in the high-level fissile material (such as highly enriched uranium or plutonium) cut-off treaty expert preparatory group consultative process.

The aim of the projects will be:

- the facilitation of dialogue at regional level among states in the African, Asia-Pacific Latin American and Caribbean regions;
- the development of a sense of ownership of the issue among states in these regions;
- the identification of the national needs and policy priorities of states in these regions;
- the involvement of relevant regional organisations in the discussions on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices to be negotiated in the framework of the Conference on Disarmament;
- the evaluation of the implications of the process at regional level and of the role that relevant regional and international organisations may play in that process;
- the comparative analysis of the implications of the process for each region;
- the facilitation of the transmission of knowledge on fissile materials between academia, civil society organisations and member states.

The high-level fissile material cut-off treaty expert preparatory group will make a practical contribution to nuclear disarmament and non-proliferation efforts.

[EU policy on disarmament, non-proliferation and arms export control](#)



## **EU-China statement on climate change and clean energy**

The Council approved a draft EU-China statement on climate change and clean energy.

[EU-China relations, factsheet](#)

### **FOREIGN AFFAIRS/DEVELOPMENT**

#### **Bêkou EU trust fund for the Central African Republic**

The Council adopted conclusions on the European Court of Auditors' special report on the Bêkou EU trust fund. The Special Report is particularly valuable as EU trust funds are a new tool for development aid used for emergency, post-emergency or thematic actions and the Bêkou trust fund (BTF) is the first of its nature.

The Bêkou trust fund was established as a response to an unprecedented crisis characterised by inter-communitarian violence, weakening of basic state functions, limited international aid and substantial humanitarian and development challenges in the Central African Republic. In light of the continued challenges in the Central African Republic, the Council stresses the need to continue the international mobilisation of resources to provide humanitarian and development aid and consolidate the recovery, stabilisation and sustainable development in the country.

In its conclusions, the Council stressed, in particular, the valuable observations and recommendations by the Court of Auditors about the positive achievements and challenges of the trust fund, some of which can help to strengthen the management, implementation, monitoring and evaluation of other EU trust funds ([15569/17](#)).

## Gender action plan

The Council adopted conclusions on the 2016 implementation report of the EU gender action plan. The Council reiterated its commitment to promote women's and girls' rights, gender equality, the empowerment of women and girls and their protection as a priority across all areas of action.

The Council welcomed the progress made in the implementation of the Gender Action Plan II 2016-2020, as presented in the first annual implementation report. It commended the joint efforts of the EU and the member states in reporting on their activities both at the level of partner countries and in headquarters, including in CSDP missions and operations. ([15571/17](#))

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