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## OUTCOME OF THE COUNCIL MEETING

3438th Council meeting

### Foreign Affairs

Brussels, 14 December 2015

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

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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.

## **ITEMS DEBATED**

### **Eastern Partners**

The Council discussed political developments in the EU's eastern partner countries and how best to take forward the Eastern Partnership in line with the outcome of the Riga summit in May 2015.

Ministers emphasised the need to have a tailor-made differentiated approach for each of the six partner countries, in order to cater to their very different situations.

The Council took stock of the implementation of deep and comprehensive free trade areas (DCFTAs) in Georgia and the Republic of Moldova, as well as the start of implementation in Ukraine on 1 January 2016. The objective remains to support all three countries in creating new opportunities for trade and economic growth and aligning with EU standards and practice.

The Council discussed the recent opening of negotiations with Armenia on a new overarching framework for the deepening of bilateral relations. Ministers confirmed the EU's readiness to further deepen and broaden its relations with Azerbaijan. The Council agreed that the EU should continue to pursue its policy of critical engagement with Belarus.

## **Counter-terrorism**

The Council discussed the external dimension of the EU's counter-terrorism work.

Ministers were joined by the EU's counter-terrorism coordinator Gilles de Kerchove. They took stock of the implementation of the Council conclusions adopted on 9 February 2015, along with a statement by heads of state and government adopted on 12 February 2015, which together set the direction of the EU's counter-terrorism policy in the external field.

The High Representative updated ministers on the progress achieved during the last eight months, as well as on forward-looking measures. The Council assessed cooperation with countries in the Middle East and North Africa, Turkey and the Western Balkans. It discussed thematic priorities such as efforts against foreign terrorist fighters, improving border security and aviation security, curtailing terrorist financing and countering radicalisation and violent extremism.

## **Libya**

The Council took stock of recent developments in Libya.

Ministers were briefed by the UN's special representative for Libya, Martin Kobler, on the Libyan political dialogue and his efforts to support Libyan interlocutors in finding an agreement on a Government of National Accord. This was the first meeting between the Council and Martin Kobler since he took up office in November 2015.

Ministers unanimously supported the results of an international conference in Rome on 13 December 2015, which backed the formation of a Government of National Accord in Libya and pledged economic and security support to help stabilise the country. They emphasised the need to keep the process open, before and after the signing of the agreement, in order to broaden support for it.

The Council reconfirmed the EU's readiness to work with the new Government of National Accord, once it is formed, to offer immediate and substantial support in a number of different areas defined together with the Libyan authorities. It asked its services to prepare, over the coming days, the initial measures for humanitarian and economic support and the provision of local and municipal services, to ensure they are in place as soon as an agreement has been signed.

## **Iraq**

The Council approved the following conclusions:

" 1. The EU reiterates its firm support for Iraq's unity, sovereignty and territorial integrity. The EU remains committed to achieving lasting peace, stability and security in Iraq and the wider region, as well as to countering Da'esh which poses a clear threat to Iraq, our partners in the Middle East, to wider international security and to Europe directly. The EU supports efforts by the Global Coalition to counter Da'esh, including military action in accordance with international law. It recalls that military action in this context is necessary but not sufficient to defeat Da'esh. The EU underlines that inclusive political governance is crucial to sustainable peace and stability in Iraq. It stresses that a strong and unified Iraq is key to resolving the present crisis and to the country's long term development and prosperity. The EU calls on the countries of the region to play a constructive role and support the Iraqi Government in its efforts to restore long-lasting peace and stability in Iraq.

2. Furthermore the EU reiterates its strong support for the democratically-elected Iraqi Government, led by Prime Minister Haider al-Abadi, and welcomes the government's commitment to pursue reforms and comprehensive dialogue with a view to tackle the underlying political crisis in Iraq, achieving inclusiveness, reconciliation at national and local level and long-term peace and stability. The EU emphasises that the Iraqi Government's September 2014 programme, as well as its August 2015 reform package, which aims to tackle corruption, improve the delivery of services to citizens and strengthen good governance, remain the basis for delivering meaningful, tangible reforms for all of Iraq's people. The EU commends Prime Minister al-Abadi's courage in proposing these measures and calls on the Iraqi authorities to step up their reform efforts, accelerate the pace of their implementation and deliver comprehensive dialogue, in order to achieve effective progress rapidly. In particular the establishment of the National Guard, the review of the so-called De-Ba'athification law and the release of prisoners held without charge are measures that should be adopted and implemented without delay. The EU calls on all Iraq's political forces to work constructively in support of these vital endeavours to the benefit of all segments of Iraqi society. The EU also underlines the urgency of reviving the agreement on the transfer of revenues and oil between the Federal Government of Iraq and the Government of the Kurdistan Region.

3. The EU condemns in the strongest terms continued gross, systematic and widespread human rights abuses and violations, as well as the destruction of cultural heritage carried out by Da'esh. Whilst the primary victims of these acts have been Iraqi Muslims, persons belonging to minority groups, particularly Christians and Yezidis, have also been the target of Da'esh atrocities that are likely to amount to crimes against humanity. Those responsible for these crimes must be held accountable.

4. The EU welcomes progress in the fight against Da'esh that has been accomplished in Iraq throughout 2015 by Iraqi Security Forces including the Peshmerga, and strongly supports the efforts of the Global Coalition to back Iraq to counter Da'esh. The EU will continue to implement its Regional Strategy for Syria and Iraq as well as the Da'esh threat and the Counter-terrorism Strategy for Syria and Iraq, with particular focus on Foreign Fighters, as its main framework to tackle the threat posed by Da'esh and its extremist ideology and it looks forward to the next six monthly report on the implementation of the March 2015 Strategy. It will in particular step up its efforts to prevent the terrorist financing, curbing its revenues such as illicit sales of oil and cultural artefacts. Efforts will also be multiplied to counter the terrorist narrative and improve information exchanges to stop terrorist foreign fighters. Moreover, the EU intends to deepen its political dialogue on these issues with its partners and in this context will seek to accelerate implementation of the strategies where possible, and refers to the outcomes of the Justice and Home Affairs Council meeting on 3-4 December 2015.

5. The EU underlines the importance of full respect for international law, human rights and the rule of law in the fight against Da'esh and in all the liberated areas. It recalls that the fight against terrorism will only be successful if conducted in full respect of international human rights, preventing sectarian violence, defusing sectarian tensions and preserving the multi-ethnic, multi-religious and multi-confessional character of the Iraqi society, as underlined in the action plan adopted at the 8 September Paris Conference on the Victims of Ethnic and Religious Violence in the Middle East. It stresses the necessity of rebuilding inclusive and democratically controlled Iraqi Security Forces and underlines that all armed groups must come under the command and control of the Iraqi State. In this context, it particularly urges the Iraqi Government and the Council of Representatives to press ahead with security sector reforms aimed at centralising the command and control of these forces and improving their respect for human rights. The EU welcomes PM al-Abadi's commitment to investigate all allegations of abuses and violations and ensure the perpetrators are brought to justice. The EU reiterates its call on Iraq to accede to the Rome Statute.

6. The EU stresses that IDPs returns to places of origin must be safe, informed, voluntary and non-discriminatory, in line with international protection standards. The EU recognises stabilisation as a key condition for the return of IDPs as well as for reconciliation. In this context it reaffirms its support for the Iraqi Government-led stabilisation efforts in liberated areas, such as the training of the Iraqi Police forces. It commends the Government for its constructive work and cooperation with the Global Coalition's Working Group on Stabilisation (SWG) as well as the United Nations. The EU welcomes Member States' contributions to UNDP's Funding Facility for Immediate Stabilisation (FFIS), which has been crucial in providing rapid and effective stabilisation support to liberated areas of Iraq, such as Tikrit. The EU will continue to work closely with the Iraqi Government and all relevant actors contributing to stabilisation in Iraq, including the SWG and the United Nations.

7. The EU remains extremely concerned at the dire humanitarian situation and the displacements of large numbers of civilians and strongly condemns the egregious violations of International Humanitarian Law in the conflict. The EU and its Member States, the largest humanitarian donors responding to the crisis in Iraq, will continue to provide humanitarian assistance guided by independent needs assessments and seeking to provide an impartial response. They will also insist with all relevant parties on the need to comply with the International Humanitarian Law, bringing the protection of civilians to the forefront of the EU humanitarian and political engagement in Iraq. The EU reiterates its call for the Federal Government of Iraq and the Government of the Kurdistan Region, to make all possible efforts to ensure that humanitarian aid is delivered to all civilians, in particular IDPs and refugees, including all vulnerable groups, in line with international law and humanitarian principles and again stresses the importance of offering equal protection to all ethnic and religious communities that are part of Iraqi society. This is crucial to alleviate the suffering of all civilians and consistent with the objectives of avoiding further deepening of sectarian and ethnic fault lines, without impacting on the diverse and plural character of the Iraqi society. The EU also acknowledges the strong role played by the United Nations in coordinating much-needed humanitarian assistance.

8. The EU calls on the different parties in the Kurdistan Region of Iraq to work together in a spirit of compromise to resolve the current political impasse through dialogue and moderation. The EU reiterates the necessity of unity and stability at a time when the Kurdistan Region is facing economic, social, humanitarian challenges and is making a substantial contribution to the fight against Da'esh. It invites the Government of the Kurdistan Region and all political parties to respect democratic principles and values in order to restore the institutional order and press ahead with necessary reforms.

9. The EU remains strongly committed to working closely with the Iraqi partners who face many challenges, including through the EU-Iraq Partnership and Cooperation Agreement. It intends to maintain its focus on counter-terrorism cooperation, immediate stabilisation of liberated areas, and support to reconciliation and peacebuilding initiatives. The EU and its Member States reiterate their sustained and comprehensive engagement in the medium and longer term to address the root causes of the crisis and improve Iraq's governance, ensuring continued enhanced support to rule of law and human rights (including the reform of the judiciary and the civilian security), and, closely linked to that, the socio-economic development. The EU and its Member States will explore the possibilities to further support these areas, using all available instruments. The EU continues its strong support of UNAMI's role in providing assistance and reconstruction to the people of Iraq."



**Turkey**

Over lunch, ministers held an exchange of views with the Turkish foreign minister, Mevlüt Çavuşođlu, on foreign policy and regional issues.

They discussed recent developments in Syria and Libya, the fight against Da'esh, counter-terrorism and the issue of foreign fighters.

**Meetings in the margins of the Council**

– *EU-Morocco Association Council*

[The EU-Morocco Association Council held its 13th meeting.](#)

## OTHER ITEMS APPROVED

**FOREIGN AFFAIRS****European Neighbourhood Policy**

The Council adopted the following conclusions:

1. The Council welcomes the Joint Communication of 18 November 2015 on the 'Review of the European Neighbourhood Policy', aimed at better responding to changes and challenges in the neighbourhood. As set out in the April 2015 Council Conclusions, a democratic, stable and prosperous neighbourhood is a strategic priority and a fundamental interest for the EU. Underlining the importance of a special relationship with the EU's neighbours, the stabilisation of the neighbourhood in political, economic and security terms will be the main political priority for the EU in the next years. In doing so, the EU will pursue its interests and promote universal values.
2. The European Neighbourhood Policy is key for both the EU's Common Foreign and Security Policy and other areas of the EU's external action. The findings of the review should feed in to the development of wider EU policy, in particular the Global Strategy on Foreign and Security Policy. The Council recalls the importance it attaches to the High Representative and the Commission ensuring better policy coherence with all aspects of EU external action. It encourages enhanced co-ordination between EU Delegations and Member States, and also with international organisations, in partner countries.
3. The Council welcomes that the revised ENP, as set out in the Joint Communication, takes into account interests and needs of the EU and its neighbours, neighbours' commitment to reforms, the level of ambition of the partnership as well as different challenges and the geopolitical environment.
4. Recalling the need to ensure the EU Member States' full involvement in the ENP, the Council will remain seized of the review process and looks forward to a regular dialogue on its implementation. The Council invites the High Representative and the Commission to engage with partner countries on the revised policy and then present progress to the Council for discussion. The Council looks forward to regular high-level dialogue on delivery of the European Neighbourhood Policy.

5. The Council welcomes the engagement and consultation with partner countries in the review process. Enhanced differentiation between and greater ownership by partner countries are key principles for the reviewed ENP. The Council welcomes the proposals set out in the Joint Communication to further develop relations with partners wishing to pursue deeper relations with the EU based on shared values, including by increasing opportunities for political dialogue at ministerial level. The Council underlines the importance of assisting all partners in their reform efforts with a corresponding level of support. The Council confirms the intention to start a new phase of engagement with partners in 2016 which could lead to the setting of new partnership priorities, where appropriate, focused on agreed priorities and interests.

6. The Council underlines that the EU's partnerships under the ENP should be focused on people as well as governments. The Council calls for effective promotion of good governance, democracy, rule of law and human rights, which are important for long-term stability. These topics will be discussed with all partners, in mutually agreed formats, as well as in partnership with the wider society. This should include enhanced support to civil society and a renewed focus on the importance of gender equality. The European Endowment for Democracy can play an important role in this regard.

7. The Council stresses the importance of sustainable economic development for stabilisation through investment in economic modernisation with a particular focus on youth, education and employment to boost prosperity. The Council stresses the need for renewed action on connectivity, energy security and climate action.

8. Full and effective implementation of Association Agreements/ Deep and Comprehensive Free Trade Areas (AAs/DCFTAs) is a key priority which, accompanied by reforms, will result in relevant partners' comprehensive approximation with international standards and EU legislation and standards. This will lead to the gradual economic integration of AA/DCFTA partners in the EU internal market and therefore to the creation of an economic area. Such a vision will also contribute to the long-term goal of a wider area of economic prosperity based on World Trade Organisation (WTO) rules and sovereign choices throughout Europe and beyond. The Council encourages the Commission to work with all ENP partners in their ongoing and possible future negotiations. For those who do not wish to engage in negotiations for a DCFTA, there should be the opportunity to jointly determine attractive and realistic alternatives to promote economic integration and strengthen trade and investment relations that reflect mutual benefits.

9. The Council welcomes the new proposals to strengthen the security dimension of the ENP, and reiterates its calls for greater coherence of the ENP with the security and foreign policy dimensions of the EU's other actions abroad. This will include measures to reinforce partners' resilience such as countering the terrorist threat and preventing radicalisation, and supporting Security Sector Reform and border management. Such security measures and cooperation will be conducted in full compliance with the rule of law and international law, including international human rights law. The ENP security proposals should be implemented in line with the comprehensive approach and with the external dimension of other relevant EU policies with closer coordination between the security-related work financed under the ENI and wider CFSP/CSDP activities, where appropriate. In addition, the Council will enhance cooperation with partners, including through, where appropriate, CSDP activities or the EU's Special Representatives, to support the management and resolution of conflicts in the neighbourhood including through agreed frameworks. In addition, cross-cultural dialogue, such as that promoted by the Anna Lindh foundation, can play a role in conflict prevention.
10. The Council welcomes proposals for intensified cooperation on both regular and irregular migration. The Council calls on the High Representative and the Commission to continue increasing the support for partner countries receiving and assisting refugees and IDPs. The Council calls for enhanced effective cooperation on returns, readmission and sustainable reintegration and for continued engagement with partners beyond the neighbourhood building on the Valletta Summit and other existing initiatives. Tackling together with partners the root causes of irregular migration and forced displacement including of unaccompanied minors should remain priorities. The Council reconfirms that enhanced mobility in a secure and well managed environment and people-to-people contacts should be promoted. Mutually-beneficial regular migration including circular migration should be promoted through better support schemes.
11. The Council reaffirms the importance of the Eastern Partnership and its commitment to continue implementing the shared priorities agreed at Riga and previous Eastern Partnership Summits. The Council supports further strengthening of this regional dimension, including through the regional programmes of the EU and the multilateral framework of the EaP.
12. The Council acknowledges that the Union for the Mediterranean has proved to be a valuable forum for political and economic discussion, as well as for agreeing concrete projects in priority sectors. The Union for the Mediterranean should be considered as a key regional framework for political dialogue and regional cooperation efforts, including through regular ministerial meetings.
13. The Council supports outreach beyond the neighbourhood in order to tackle shared challenges. The High Representative and the Commission in consultation with the Council will develop new Thematic Frameworks with interested ENP partners to offer cooperation on regional issues in the neighbourhood, to state and multilateral actors, as well as to other partners.

14. The Council also recalls the importance of other existing initiatives with EU and Member States involvement such as the Black Sea Synergy and AMICI (A southern Mediterranean Investment Coordination Initiative).

15. The Council supports increasing the flexibility of existing financing instruments in order to improve the EU's capability to respond flexibly to crisis situations. The EU will also preserve the predictability and continuity of its support for implementing the mutually agreed long-term reform goals and other elements required by the ENI regulation. Commitment to and implementation of reform will continue to guide the allocation of funds under the ENI umbrella programme, in line with the incentive based approach. The Council looks forward to examining proposals for more effective delivery of financial support, including those set out in the Joint Communication.

16. The Council recognises the need to improve communication of the ENP, and on ensuring better visibility and outreach for the policy and its outcomes. This should include enhanced strategic communication efforts, including related support to partners and support to independent media in the neighbourhood.

17. The Council welcomes the new approach to reporting, focusing specifically on meeting the goals agreed with partners. This reporting will support the work of Association Councils, Co-operation Councils and other high-level meetings. In addition, the Council invites the High Representative and the Commission to provide regular reporting to track developments in the neighbourhood as required by the ENI regulation."

### **Morocco - Court appeal**

The Council decided to lodge an appeal against the judgment of the EU General Court annulling Council Decision 2012/497/EU on the conclusion of an agreement between the EU and Morocco concerning reciprocal liberalisation measures on agricultural products, insofar as it applies to the territory of Western Sahara.

The Council also agreed that an application should be made for interim measures in the form of suspension of the operation of the judgment of the General Court.

### **Afghanistan - EU police mission**

The Council set a new financial reference amount of €43.65m to cover expenditure related to the EU police mission in Afghanistan (EUPOL AFGHANISTAN) from 1 January 2016 to 31 December 2016.

This follows a decision by the Council in December 2014 to extend the mission until 31 December 2016.

### **Court of Auditors report on EU support for the fight against torture**

The Council adopted conclusions on the special report entitled "EU support for the fight against torture and the abolition of the death penalty". ([14640/15](#))

## **DEVELOPMENT POLICY**

### **Development and external assistance policies and their implementation in 2014**

The Council adopted conclusions on the 2015 Annual report on the EU's development and external assistance policies and their implementation in 2014. ([15083/15](#))

### **Court of Auditors report on the ACP investment facility**

The Council adopted conclusions on the special report entitled "The ACP Investment Facility: does it provide added value?". ([15186/15](#))

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