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PRESS RELEASE

3159th Council meeting

Foreign Affairs

Luxembourg, 23 April 2012

President **Ms Catherine Ashton**
High Representative of the Union for Foreign Affairs and Security Policy

P R E S S

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Main results of the Council

*The Council expressed its respect and appreciation for the historic changes in **Myanmar/Burma** over the past year. As a means to welcome and encourage the reform process, the Council agreed to suspend EU restrictive measures against the government, with the exception of the arms embargo. The Council will shortly adopt legal acts to that effect.*

*The Council discussed **Syria** and welcomed the UN Security Council resolution establishing a UN supervision mission to monitor the cessation of armed violence. It strongly urged the Syrian government to allow the effective operation of the mission and reaffirmed its full support to Special Envoy Kofi Annan and his six-point plan. In view of the gravity of the situation, the Council approved further sanctions against the Syrian regime.*

The Council also discussed recent events in several African countries.

*It expressed support for ECOWAS' efforts to restore constitutional order in **Mali** and the EU's intention to closely monitor the progress of the transition process. It confirmed the importance of accelerated implementation of the EU strategy for security and development in the Sahel and the deployment of the proposed civilian CSDP mission to Niger.*

*The Council also expressed deep concern at the escalating conflict between **Sudan and South Sudan** and called on both governments to stop attacks on each other's territory and to cease hostilities.*

*Finally, the Council strongly condemned the coup d'état in **Guinea-Bissau**. It demanded the immediate reestablishment of the legitimate government and expressed readiness to impose restrictive measures against individuals who engage in acts that threaten the peace, security and stability of Guinea-Bissau.*

*During lunch, ministers discussed the **Middle East Peace Process** and the situation in the occupied Palestinian territory, as well as the talks with **Iran** on its nuclear programme, led by the EU High Representative.*

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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.

PARTICIPANTS

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Belgium:	
Mr Didier REYNDERS	Deputy Prime Minister and Minister for Foreign, External Trade and European Affairs
Bulgaria:	
Mr Ivan NAYDENOV	Deputy Minister for Foreign Affairs
Czech Republic:	
Mr Karel SCHWARZENBERG	First Deputy Prime Minister and Minister for Foreign Affairs
Denmark:	
Mr Villy SØVNDAL	Minister for Foreign Affairs
Germany:	
Mr Michael LINK	State Minister of the German Ministry of Foreign Affairs
Estonia:	
Mr Urmas PAET	Minister for Foreign Affairs
Ireland:	
Mr Eamon GILMORE	Tánaiste (Deputy Prime Minister) and Minister for Foreign Affairs and Trade
Greece:	
Mr Dimitris DOLLIS	State Secretary for Foreign Affairs
Spain:	
Mr José Manuel GARCÍA-MARGALLO MARFIL	Minister for Foreign Affairs and Cooperation
France:	
Mr Henri de RAINCOURT	Minister with responsibility for Cooperation, attached to the Ministre d'État, Minister for Foreign and European Affairs
Italy:	
Ms Marta DASSU'	State Secretary for Foreign Affairs
Cyprus:	
Ms Erato KOZAKOU-MARCOULLIS	Minister for Foreign Affairs
Latvia:	
Mr Edgars RINKĒVIČS	Minister for Foreign Affairs
Lithuania:	
Mr Audronius AŽUBALIS	Minister for Foreign Affairs
Luxembourg:	
Mr Jean ASSELBORN	Deputy Prime Minister, Minister for Foreign Affairs
Hungary:	
Mr Zsolt NÉMETH	State Secretary, Ministry of Foreign Affairs
Malta:	
Mr Tonio BORG	Deputy Prime Minister and Minister for Foreign Affairs
Netherlands:	
Mr Pieter de GOOIJER	Permanent Representative
Austria:	
Mr Michael SPINDELEGGER	Vice Chancellor, Federal Minister for European and International Affairs
Poland:	
Mr Radosław SIKORSKI	Minister for Foreign Affairs
Portugal:	
Mr Miguel MORAIS LEITÃO	State Secretary attached to the Minister for Foreign Affairs, with responsibility for European Affairs

Romania:	
Ms Luminita ODOBESCU	State Secretary, Ministry of Foreign Affairs
Slovenia:	
Mr Karl Viktor ERJAVEC	Deputy Prime Minister, Minister for Foreign Affairs
Slovakia:	
Mr Miroslav LAJČÁK	Minister for Foreign Affairs
Finland:	
Mr Erkki TUOMIOJA	Minister for Foreign Affairs
Sweden:	
Mr Carl BILDT	Minister for Foreign Affairs
United Kingdom:	
Mr William HAGUE	First Secretary of State, Secretary of State for Foreign and Commonwealth Affairs

ITEMS DEBATED

Burma/Myanmar

The Council held an in-depth discussion of the situation in Burma/Myanmar. It adopted the following conclusions:

1. "The European Union has followed with respect and appreciation the historic changes in Myanmar/Burma over the past year and encourages the wide-ranging reforms to continue under President U Thein Sein, the Government and the Parliament, in a developing partnership with political and civil society actors, including Daw Aung San Suu Kyi. These reforms will need time to implement and to bear fruit. The foundation for development is legitimate government, the rule of law and national reconciliation. The EU praises the peaceful nature of the process and the readiness of the parties to work towards the same goals, with a shared vision for political, social and economic reforms.

2. It also welcomes the concrete steps taken towards these ends:

   – the overall transparent and credible conduct of the by-elections on 1 April, resulting in the election of Daw Aung San Suu Kyi and members of the National League for Democracy party, which will support steps towards national reconciliation;

   – the progress on changes in law and practice to enable freedom of assembly and of association and to eliminate the use of forced labour;

   – the release of a substantial number of political prisoners and the Government's willingness to work on open cases;

   – the Government's efforts to conclude cease-fire arrangements with armed groups in the ethnic regions, in particular with Karen National Union, and its readiness to look towards wider and more durable political settlements.

3. These and other unprecedented developments allow the EU to open a new chapter in its relations with Myanmar/Burma. The Council therefore welcomes the upcoming official visit of the High Representative to the country, marking a new beginning in bilateral relations, as highlighted by the opening of an EU Office in Yangon.

   As a means to welcome and encourage the reform process, the Council will suspend restrictive measures imposed on the Government, with the exception of the arms embargo, which it will retain. The Council will monitor closely the situation on the ground, keep its measures under constant review and respond positively to progress on ongoing reforms.

4. In this regard, the EU still expects the unconditional release of remaining political prisoners and the removal of all restrictions placed on those already released. It looks forward to the end of conflict and to substantially improved access for humanitarian assistance, in particular for those affected by conflict in Kachin State and along the Eastern border, as well as to addressing the status and improving the welfare of the Rohingyas.

5. The EU wants now to enter into an active collaboration with Myanmar/Burma as a whole, with a view to assisting the reform process and contributing to economic, political and social development.

6. On the basis of the discussion the EU Development Ministers will have in May, the EU will continue to engage in a dialogue and cooperation with the authorities and other stakeholders, including in the following areas:

   – the EU looks forward to collaborating with the central and local authorities and others concerned to support the process of bringing peace and stability to ethnic regions and to open a long-term perspective for their development, as part of national reconciliation;

   – the EU and its Member States have announced significant new funding for economic and social development, democratic transformation and the strengthening of civil society and the public administration's capacity at central and regional level, in order to help improve governance and to establish an effective administration in a democratic and inclusive state;

   – the EU stands ready to assist all actors in their endeavour to strengthen the rule of law and the respect for human rights. In this regard, the EU looks forward to working with the legislature and the national Human Rights Commission. The EU will also work with the authorities, including the Election Commission, in reviewing the electoral system with a view to the general elections in 2015.

   In all these areas, donor coordination will be important and the EU looks to the Myanmar/Burma authorities to show leadership in this, fostering a wide-ranging consultation with all stakeholders, including political parties, regional authorities and civil society, applying principles such as participation, inclusion, transparency and accountability. This will be discussed at the next Foreign Affairs Council/Development.

7. The EU recognises the vital contribution the private sector has to make to the development of Myanmar/Burma and would welcome European companies exploring trade and investment opportunities. This should be done by promoting the practice of the highest standards of integrity and corporate social responsibility. These are laid out in the OECD Guidelines for Multinational Enterprises, UN guiding principles on business and human rights and the EU's own CSR strategy 2011-2014. The EU will work with the authorities, the private sector and the people of Myanmar/Burma to create the best possible regulatory environment.

8. The Council supports reinstating the Generalized System of Preferences (GSP) for Myanmar/Burma as soon as possible once the required conditions are fulfilled, following the assessment of the International Labour Organisation.

9. The EU also welcomes the willingness of the Government to address environmental risks, in particular those related to deforestation and the loss of biodiversity. It therefore encourages the Government to begin a dialogue with the EU on ways to ensure the sustainable management of Myanmar/Burma's forests and harvesting of timber in compliance with national legislation, consistent with fighting poverty and securing livelihoods. It will work with the authorities to promote transparency and accountability in extractive industries as well as in environmental protection, in particular through Forest Law Enforcement, Governance and Trade (FLEGT).

10. The EU now looks forward to a future in which it will be able to collaborate constructively with the Government and the people of Myanmar/Burma to foster unity and build prosperity."

Afghanistan

Ahead of the NATO Summit on 20-21 May 2012 in Chicago, the Council exchanged views on the EU approach to Afghanistan. This debate will feed into another exchange and the adoption of conclusions scheduled for the next Council meeting on 14 May.

Africa

The Council discussed recent events in Africa, focusing on Mali, Sudan and South Sudan and Guinea-Bissau.

– ***Mali***

The Council adopted the following conclusions:

1. "The Council recalls its conclusions of 22-23 March 2012 on Sahel firmly condemning the seizure of power by force in Mali and calling for an immediate end to violence, the protection of civilians and the restoration of civil, constitutional government.

2. The Council stands firmly behind the efforts of ECOWAS and the countries of the region to restore constitutional order in Mali and supports the continued engagement of President Ouattara in his capacity as President of ECOWAS and President Compaoré as mediator. In this context, it welcomes the signature of a Framework Agreement on 6 April 2012 for the restoration of constitutional order and urges all Malian stakeholders to ensure its timely implementation.

3. As the first steps towards the restoration of legitimate civilian administration, the Council is encouraged by the inauguration of Dioncounda Traoré as interim President, the appointment of Cheick Modibo Diarra as interim Prime Minister and the release of detained Ministers. The Council expects the rule of law to be respected and that extra-judicial arrests will cease.

4. The EU will monitor closely progress in the transition process in Mali. It stands ready to provide support to the civilian-led transition, including an electoral process involving all the people of Mali, in close cooperation with ECOWAS, the African Union and other international partners. EU development cooperation currently on hold will be resumed in line with progress towards the full restoration of constitutional order. In the meantime, ongoing direct support to the population will continue as well as humanitarian aid.

5. The Council supports the commitment of the interim President, ECOWAS, the African Union, the United Nations and the international community to preserve the security, sovereignty and territorial integrity of Mali. It repeats its call for an immediate end to violence and to abuses of human rights in the north of the country. It urges all rebel groups to seek a peaceful solution through a political process that respects the territorial integrity of Mali.

6. The Council is deeply concerned by the growth of Al Qa'ida and close affiliates' presence in the north of Mali and the increased terrorist threat that it implies. It condemns all terrorist activities.

7. The Council is alarmed by the deteriorating humanitarian situation in Mali and the wider Sahel region due to serious food shortages. Exacerbated by insecurity and the lack of access for humanitarian aid, the situation of the civilian population in the north of the country gives rise to particular concern of the risk of a major humanitarian disaster. The Council is gravely concerned by reports that significant numbers of people are being forced to flee the north in circumstances involving frequent violations of human rights. It calls on all parties to fully respect international humanitarian law and human rights and to allow immediate, safe and unhindered access for humanitarian aid and international humanitarian workers. The Council commends neighbouring states for their ongoing assistance in compliance with their obligations under international humanitarian law.

8. Recent developments in Mali and the broader security, development and humanitarian challenges in the region confirm the importance of security sector reform and accelerated implementation of the EU Strategy for Security and Development in the Sahel including the deployment of the proposed civilian CSDP mission to Niger by July 2012."

– ***Sudan and South Sudan***

The Council adopted the following conclusions:

1. "The EU is deeply concerned about the escalating conflict between Sudan and South Sudan.

2. The EU calls on the Governments of Sudan and South Sudan to stop immediately attacks on each other's territory, whether directly or through proxies, cease hostilities, withdraw all security personnel from Abyei and avoid further provocative actions, including inflammatory rhetoric. It urges both sides to establish the joint border verification and monitoring mechanism without further delay.

3. In this context and following international condemnation of the seizure and occupation of Heglig by the South Sudanese armed forces, the EU welcomes the recent statement by the Government of South Sudan that it is withdrawing its forces from Heglig. It calls on South Sudan not to mount any further such attacks and urges the Government of Sudan not to attack SPLA forces as they withdraw.

4. The EU condemns continued aerial bombardments and reported ground incursions into South Sudan by the Sudan Armed Forces.

5. The use of force will not resolve any of the outstanding issues between the two countries. The EU urges both to return to the existing negotiating process under the auspices of the AU High Level Implementation Panel (AUHIP) and renew their efforts in good faith to reach agreement through peaceful dialogue.

6. The Government of Sudan and the SPLM North must engage in an inclusive political process to resolve the conflict in Southern Kordofan and Blue Nile.

7. The EU calls on the Governments of Sudan and South Sudan, as an immediate first step, to honour their Memorandum of Understanding on Non-Aggression and Cooperation signed in Addis Ababa on 10 February 2012. This is essential to allow the peaceful resolution of all outstanding issues.

8. The EU strongly supports efforts by the African Union and the AUHIP, in cooperation with the United Nations and other international partners, to ensure that both Governments urgently take the steps outlined above."

– ***Guinea-Bissau***

The Council adopted the following conclusions:

1. "The European Union strongly condemns the coup d'état in Guinea-Bissau. It demands the immediate reestablishment of the legitimate government, the completion of the interrupted democratic electoral process and the immediate restoration of constitutional order.

2. Self-appointed transitional institutions will not be recognised, nor any kind of arrangement which would allow the armed forces to continue to threaten or control the civilian powers. The EU rejects the establishment of a so-called "Transitional National Council".

3. The freedom and security of all citizens must be ensured and perpetrators of human rights violations be held accountable. The EU calls for the immediate and unconditional release of those held in illegal detention and an end to violence and intimidation against political leaders and civil society representatives.

4. The EU acknowledges the decision of the African Union to suspend Guinea-Bissau, and firmly supports the efforts of the UN, ECOWAS and CPLP to restore stability, democracy and respect for human rights there.

5. The EU is ready to impose restrictive measures against individuals who continue to engage in or provide support for acts that threaten the peace, security and stability of Guinea-Bissau."

Syria

The Council took stock of developments in Syria. It adopted the following conclusions:

1. "The EU welcomes the unanimous adoption of the UNSC resolution 2042 on 14 April authorising the immediate deployment of an advance team of up to 30 unarmed military observers and of the UNSC resolution 2043 on 21 April establishing the full UN supervision mission in Syria (UNSMIS) with an initial deployment of up to 300 unarmed military observers as well as an appropriate civilian component, to monitor a cessation of armed violence and to monitor and support all aspects of the joint UN-League of Arab States Special Envoy Kofi Annan's six point proposal. The EU calls for an immediate and full implementation of the UNSC resolutions. It also calls on all the Members of the UN Security Council to continue to support Kofi Annan in his efforts and ensure that the fully-fledged UN observation mission in Syria is deployed expeditiously and operationalised without delay. It is crucial that UNSC Members use all their influence to ensure that the UNSC resolutions are fully implemented.

   The EU strongly urges the Syrian government to allow the effective operation and deployment of the mission and its advance team and allow full freedom of movement, access and communication including agreement on the use of air assets. The EU and its Member States are ready to provide support that might be requested to guarantee the success of the observer mission.

2. The EU reaffirms its full support to the Joint UN-League of Arab States Special Envoy Kofi Annan's mission and his six point Plan. A complete cessation of violence is an essential step in the full implementation of this Plan. The EU recalls its full support for the Special Envoy's efforts to facilitate a peaceful Syrian-led and inclusive dialogue leading to a political solution that meets the democratic aspirations of the Syrian people on the basis of the UN General Assembly resolution of 16 February 2012 and League of Arab States resolutions, in particular those of 22 January, 12 February and 10 March 2012.

3. Recalling its previous Council conclusions on Syria, the European Union remains deeply concerned about the fragility of the situation in Syria with reports of the use of heavy weaponry in civilian areas. The EU urges the Syrian government to implement its commitments in their entirety and to show a visible and verifiable sign of change by withdrawing all troops and heavy weapons from population centres to their barracks to facilitate a sustained cessation of violence. The EU strongly condemns the systematic and widespread violations of human rights by the regime. It recalls that all those responsible for human rights violations should be held accountable. It calls upon all parties in Syria to cease immediately violence in all its forms.

4. The European Union reiterates its concerns about the humanitarian plight of the Syrian civilian population. The Syrian authorities must grant immediate, unimpeded and full access of humanitarian organisations to all areas of Syria in order to allow them to deliver humanitarian assistance including medical care. The EU calls on all parties to cooperate fully with the UN and relevant humanitarian organisations to facilitate the provision of humanitarian assistance. The EU welcomes the efforts made by neighbouring countries to host Syrian refugees who fled violence in Syria. The European Union and its Member States will continue to assist in providing them with dignified living conditions. The EU also welcomes the outcome of the Syria Humanitarian Forum, held in Geneva on 20 April, calling for increased access and scaling up of humanitarian capacities to meet the identified humanitarian needs.

5. The European Union remains committed to the Syrian opposition's struggle for freedom, dignity and democracy for the Syrian people. It reconfirms its engagement with the Syrian opposition seeking non violent, democratic and inclusive change. The EU welcomes efforts by the Syrian National Council (SNC) and other opposition groups to articulate a common vision for the foundations of a new Syria. The EU calls on the SNC and other opposition groups to continue to support fully the Annan Peace Plan, and to put in place an all-embracing opposition platform under the auspices of the Arab League to advance their common vision for working towards an inclusive, orderly and peaceful transition in Syria.

6. The EU approved today further sanctions, imposing restrictive measures on export of further goods and technology which may be used for repression and banning the export to Syria of luxury goods. The EU will continue its policy of imposing additional measures targeting the regime, not the civilian population, as long as repression continues. The EU will also continue to urge the international community to join its efforts, in taking steps to apply and enforce restrictive measures and sanctions on the Syrian regime and its supporters. In this context, the EU welcomes the first meeting of the international working group on sanctions which was held in Paris on 17 April. It calls on all Syrians to dissociate themselves from the repressive policy of the regime in order to facilitate a political transition.

7. As soon as a genuine democratic transition begins, the EU is ready to develop a new and ambitious partnership with Syria across all areas of mutual interest, including by mobilising assistance, strengthening trade and economic relations and supporting transitional justice and the political transition."

In view of the gravity of the situation in Syria, the Council reinforced once more EU restrictive measures against the Syrian regime. For details, see press release *8957/12*.

Middle East Peace Process

During lunch, ministers exchanged views on recent developments in the Middle East peace process and on the situation in the occupied Palestinian territory.

Iran

During lunch, the High Representative reported on the talks with Iran on its nuclear programme that took place on 14 April in Istanbul.

OTHER ITEMS APPROVED

FOREIGN AFFAIRS

Relations with Israel

The Council decided to sign an agreement in the form of an exchange of letters between the European Union and Israel amending the annexes to protocols 1 and 2 of the Euro-Mediterranean association agreement between the European Communities and their member states and Israel. The changes concern trade in agricultural products, processed agricultural products and fish and fishery products, see *7470/12*.

Iran - restrictive measures

The Council withdrew two entities and one person from the list of those subject to restrictive measures in connection with Iran's proliferation-sensitive nuclear activities, considering that there were no more grounds for keeping them on that list.

Belarus - restrictive measures

The Council amended the sanctions regime against Belarus. It adopted legal acts providing for a standard derogation from the existing asset freeze for the official purposes of diplomatic missions or international organisations.

TRADE

Brazil and Thailand - Processed poultry meat

The Council adopted a decision authorising the signing of agreements with Brazil and Thailand modifying trade concessions for processed poultry meat (*7884/12* + *7885/12*).

DECISIONS TAKEN BY WRITTEN PROCEDURE

Anti-dumping measures - Tartaric acid - Oxalic acid

On 16 April, the Council adopted a regulation imposing a definitive anti-dumping duty on imports of tartaric acid originating in China following an expiry review pursuant to regulation 1225/2009 *(7907/12)*.

On 13 April, the Council adopted a regulation amending regulation 130/2006 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of tartaric acid originating in China, and excluding company Hangzhou Bioking Biochemical Engineering Co., Ltd from the definitive measures *(7905/12)*.

On 12 April, the Council adopted a regulation imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of oxalic acid originating in China and India *(7823/12)*.