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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

Middle East peace process

The Council discussed the situation in the Middle East, focusing on the peace process, in the light of increased violence notably in East Jerusalem, the West Bank and Gaza, in presence of the EU Special Representative Fernando Gentilini.

The High Representative informed ministers about her recent meetings with the Prime Minister of Israel and the President of the Palestinian Authority, during which she underlined the need to explore ways to stop violence, calm down the situation and start implementing concrete measures on the ground, consistent with prior agreements. The objective remains to improve living conditions for the population, both the Israeli and the Palestinian, giving new perspectives on the political process.

Ministers highlighted the importance of keeping the issue high on the agenda in the light of increased violence and the situation's fragility, including as regards the security situation in the holy sites. They also welcomed the interpretative notice on indication of origin of goods from the territories occupied by Israel since June 1967, adopted by the European Commission on 11 November, which provides useful guidance to Member States on how to implement existing legislation in this regard.

The High Representative concluded the debate stating that the EU should continue its engagement to facilitate the revival of a credible political process and that she will continue engaging with both parties, as well as with regional and international partners, both within the Quartet and through her bilateral contacts.

Migration

The Council discussed migration, following up on the High Level Conference on the Western Balkans route on 8 October and on the Valletta Summit on migration held on 11-12 November. Ministers discussed follow-up of the decisions already taken on the central Mediterranean route and on the Western Balkan route. They welcomed the frank discussions with African partners in Valletta. On the Western Balkans and eastern route they discussed cooperation with Turkey, Lebanon and Jordan, which has multiple dimensions, going well beyond the issue of refugees and management of refugee flows and borders.

Syria

Over lunch, ministers had a discussion on Syria, together with the UN Special Envoy Staffan De Mistura. They discussed the latest developments covering the recent diplomatic efforts, including the discussions in Vienna on 23 October and 14 November.

The High Representative underlined that finding a political solution to the Syrian conflict would offer the best conditions for defeating Daesh. She reported that the sense of urgency, especially for Europe, was felt and understood very clearly by all around the table in Vienna. She also underlined that an ambitious timetable had been set.

The EU stands ready to continue contributing:

- at the humanitarian level, through ongoing projects - the EU is the leading humanitarian contributor in response to the Syrian crisis.
- at the political level, notably by working to bring the opposition groups to the table and also to start the political transition in Syria.

OTHER ITEMS APPROVED

FOREIGN AFFAIRS

Burundi

The Council adopted the following conclusions:

- "1. L'insécurité croissante et l'augmentation continue de la violence au Burundi interpellent vivement la communauté internationale. L'Union européenne (UE) condamne fermement toutes les violations des droits de l'Homme et atteintes à ces droits, ainsi que les actes de violence au Burundi et exprime sa solidarité avec toutes les victimes de la violence, ainsi qu'avec les populations contraintes à se déplacer dans un climat d'insécurité et d'incertitude. Elle regrette l'impasse politique persistante dans le pays, marquée par le refus d'un réel dialogue entre les acteurs burundais et par la violence. Tout discours incendiaire et appel à la haine risque d'aggraver une situation déjà précaire et est tout à fait inacceptable. Ces développements peuvent avoir des conséquences tragiques pour le Burundi et pour la région toute entière. L'UE appelle toutes les parties, gouvernement comme opposition, à faire preuve de la plus grande retenue de langage et à éviter à tout prix d'enclencher un cycle de violence. Elle rappelle qu'il incombe en premier lieu au gouvernement burundais de protéger sa population.
2. En rappelant les conclusions du Conseil du 22 juin 2015, l'UE réitère la conviction déjà exprimée par la Communauté des pays de l'Afrique de l'est (CAE), l'Union Africaine (UA) et les Nations Unies (NU) que seuls le dialogue et la recherche du consensus, dans le respect de l'Accord d'Arusha et de la Constitution du Burundi, permettront de trouver une solution politique durable dans l'intérêt de tous les Burundais.
3. Dans cet esprit, l'UE a invité les autorités burundaises à participer aux consultations prévues par l'article 96 de l'accord de Cotonou pour rechercher une solution acceptable pour les parties afin de remédier au non-respect des éléments essentiels de l'Accord que sont les droits de l'Homme, les principes démocratiques et l'État de droit. Ces consultations, que l'UE propose dans un esprit de dialogue et de coopération, ont également pour objectif de soutenir les efforts visant à prévenir les conséquences néfastes des violences continues, à assurer une paix durable au Burundi, ainsi qu'à soutenir les décisions prises par la CAE et l'UA. L'UE souhaite que les consultations aient lieu aussi tôt que possible, afin de permettre un accord rapide sur des mesures initiales d'apaisement qui pourraient préparer le chemin pour un progrès substantiel vers la sortie de la crise.

4. Afin d'assurer le succès d'un dialogue inter-burundais inclusif, substantiel et apaisé, la sécurité et la liberté des personnes, des défenseurs des droits de l'Homme, des journalistes et des médias, ainsi que le rétablissement de l'État de droit, sont fondamentaux. Dans ce contexte, l'UE se réserve la possibilité d'adopter de nouvelles mesures restrictives ciblées à l'encontre de ceux dont l'action ou le discours auraient conduit ou conduiraient à des actes de violence et de répression, à de graves violations des droits de l'Homme, et/ou entraveraient la recherche d'une solution politique dans le cadre proposé par la CAE et l'UA. L'UE réitère qu'il ne peut y avoir d'impunité pour les personnes responsables de violations des droits de l'Homme et atteintes graves à ces droits, et que ces personnes doivent être tenues individuellement responsables et rendre des comptes devant la justice. Dans ce contexte, l'UE salue la déclaration du Procureur de la Cour pénale internationale, Fatou Bensouda, du 6 novembre 2015.
5. En saluant et appuyant le communiqué du Conseil de Paix et de Sécurité de l'UA du 17 octobre 2015, l'UE réitère son appui aux efforts de médiation de la CAE menés par l'Ouganda et de l'UA, et attend du Gouvernement du Burundi que tout soit fait pour entamer sans délai un dialogue inclusif impliquant toutes les parties prenantes qui refusent la violence. Ce dialogue devrait se tenir dans le respect des critères souhaités par la communauté internationale et hors du Burundi. L'UE soutiendra activement tous les efforts diplomatiques propices à la recherche d'une solution consensuelle de sortie de crise et se tient prête à prendre des initiatives supplémentaires, en fonction de l'évolution de la situation.
6. L'UE salue et appuie la Résolution 2248 (2015) du Conseil de sécurité de l'ONU, adoptée à l'unanimité, et se félicite de l'appel au gouvernement du Burundi à respecter, protéger et garantir les droits de l'Homme et les libertés fondamentales, conformément aux obligations internationales, et à respecter l'État de droit. Dans ce contexte l'UE souligne l'importance de la coopération avec les observateurs des droit de l'Homme de l'UA. L'UE partage également l'appel au gouvernement du Burundi à coopérer avec la médiation de la CAE, endossée par l'UA, pour permettre la convocation immédiate d'un dialogue inter-burundais réel et inclusif, ainsi que l'intention des NU d'envisager des mesures supplémentaires à l'encontre de tous les acteurs burundais dont les actions et les déclarations contribuent à la perpétuation de la violence et entravent la recherche d'une solution pacifique. L'UE se félicite de la volonté des NU de disposer d'une planification commune avec l'UA en cas d'urgence afin que la communauté internationale puisse réagir a tout nouvelle dégradation de la situation. Enfin, elle salue la décision du Secrétaire général de nommer un conseiller spécial sur la prévention des conflits, y compris au Burundi, chargé de travailler en concertation avec toutes les parties prenantes concernées pour soutenir un dialogue inclusif inter-burundais et une résolution pacifique du conflit.
7. L'UE, qui est l'un des principaux partenaires au développement du Burundi, confirme sa volonté de poursuivre son action en faveur de la population burundaise."

Sri Lanka

The Council adopted the following conclusions on Sri Lanka:

- "1. The Council welcomes the significant advances made by the Government of Sri Lanka since the presidential elections held in January 2015 to restore democratic governance, initiate a process of national reconciliation and re-engage with the international community and the United Nations (UN) system.
2. Following the invitation by the Government of Sri Lanka, the European Union deployed an Election Observation Mission (EU EOM) to observe the parliamentary elections in August, which were assessed positively by the EU EOM. The elections saw a strong endorsement of the change in policies initiated since January. In line with the Government's commitment for electoral reform, it will be key to implement the recommendations provided by the EU EOM.
3. There are now new opportunities for the EU to engage with the Government of Sri Lanka in making further progress on reconciliation, strengthening good governance and tackling corruption, promoting respect for human rights and the rule of law, and fostering inclusive economic growth and sustainable development, while continuing work to reduce poverty and addressing global issues such as climate change and sustainable development. The EU and its Member States actively support the new reform-oriented dynamism in Sri Lanka in order to overcome underlying causes of the past conflict. In this spirit, they will review their respective assistance programmes to support these objectives, including ensuring coordination with other donors.
4. The Council welcomes the resolution "Promoting reconciliation, accountability and human rights in Sri Lanka" adopted at the 30th session of the UN Human Rights Council in Geneva as a crucial step towards a credible transitional justice process in the country. The Council commends the Government of Sri Lanka and the Tamil National Alliance for respectively sponsoring and supporting the resolution. Continued political leadership will be needed from all sides to ensure the implementation of a comprehensive approach to deal with the past and at the same time establish a lasting foundation for a peaceful future. In this regard, the Council takes positive note of Sri Lanka's proposal to establish a Commission for Truth, Justice, Reconciliation and Non-Recurrence, and to set up with the expertise from the International Committee of the Red Cross, an Office on Missing Persons.

5. Accountability is essential to uphold the rule of law and build confidence in the people of all communities of Sri Lanka in the justice system. The EU welcomes Government of Sri Lanka's proposal for the establishment of a judicial mechanism to investigate allegations of violations and abuses of human rights, including allegations of sexual violence. The participation of foreign judges, defence lawyers, prosecutors and investigators will be important in ensuring that the process is both credible and perceived as such by all sides. The Council underlines the importance of continued cooperation with the Office of the High Commissioner for Human Rights.
6. Addressing the underlying causes of the conflict will be key to uniting the people of Sri Lanka. The EU welcomes the steps that have been taken to strengthen civilian administration in the North and East and calls on the Government to move swiftly to find durable solutions for all Internally Displaced Persons. The devolution of political power to the provinces, as originally envisaged in the Thirteenth Constitutional Amendment, will be a vital step in allowing communities to have their say in how they are governed and a positive contribution to the reconciliation process. The EU takes note of the Government's plans for a new Constitution. Initiation of a broad domestic dialogue and consultation on wider constitutional change will be vital to ensure the sustainability and popular support for any changes that are ultimately proposed.
7. The Council encourages the Government of Sri Lanka to take early steps to build the confidence of communities, including releasing the identity of the detainees and accelerating their prosecution or release, repealing the Prevention of Terrorism Act, calibrating the military presence according to identified security needs and returning land sequestered by the military to its rightful owners. Further action is also needed on a number of human rights concerns, including sexual and gender based violence, torture and the protection of persons belonging to religious, ethnic and other minorities, Human Rights Defenders and journalists.
8. The Government of Sri Lanka has indicated its intention to apply at the appropriate time to be granted the tariff preferences provided under the special incentive arrangement for sustainable development and good governance (GSP+). The Council reiterates that the purpose of GSP+ is to encourage beneficiary countries to effectively implement the core international conventions on human and labour rights, environmental protection and good governance. It takes positive note of the progress recently achieved and encourages Sri Lanka to undertake all remaining necessary preparatory work. The Council calls on the High Representative and the European Commission to continue to engage with Sri Lanka to support its efforts to lay the groundwork for a renewed application for GSP+.

9. The Council commends the steps Sri Lanka has taken to comply with the regulations of the Indian Ocean Tuna Commission and encourages the Sri Lankan authorities to take the further measures necessary to address the shortcomings established in the context of the EU legislation on Illegal, Unreported and Unregulated (IUU) fishing, so that the ban on fishery exports to the EU can be lifted as soon as possible.
10. The Council looks forward to regular updates on future progress and welcomes continued dialogue between the EU and the Government of Sri Lanka, including through meetings of the joint bodies established under the Cooperation Agreement on Partnership and Development"

EU support to transitional justice

The Council adopted conclusions on the EU's support to transitional justice, notably reaffirming the EU's intention to play an active and consistent role in its engagement with partner countries and international and regional organisations in support of transitional justice processes. The Council also adopted the EU's policy framework on support to transitional justice. The EU is the first regional organisation to adopt a transitional justice policy. (See document No [13575/15](#).)

Yemen

The Council adopted the following conclusions on Yemen:

- "1. The present situation in Yemen is of deep concern. All humanitarian actors have described the humanitarian situation as catastrophic for many Yemenis, as fighting continues in a number of areas, and humanitarian access for essential supplies of food and fuel remains extremely limited. Recalling its Conclusions on Yemen from 20 April 2015, the EU reiterates that the solution to this crisis must be a political one. It is increasingly urgent, in accordance with UN Security Council Resolution 2216, to stop the fighting through a durable ceasefire, and put in place an inclusive political process that will enable the restoration of peace and legitimate state authority as well as the delivery of essential public services, while preserving the unity, sovereignty, independence and territorial integrity of Yemen.

2. The EU therefore strongly supports the efforts of the UN Secretary General and the Special Envoy for Yemen to achieve a resumption of negotiations, fully in line with the framework provided by the GCC initiative, the outcomes of the National Dialogue Conference and relevant UN Security Council resolutions. The EU welcomes the announcement by the UN Special Envoy that inclusive intra-Yemeni talks could resume shortly. It also welcomes the recent commitment of the Government of Yemen to participate in the consultations and the clear acceptance expressed by the Houthis and the General People's Congress of UN Security Council Resolution 2216 to the UN Secretary General and the UN Special Envoy. The EU urges all parties to use this opportunity to gain renewed momentum in building trust and establish a stable foundation for further negotiations towards a sustainable peace between all parties.
3. The EU calls on all the parties to engage in a flexible and constructive manner, without preconditions and in good faith in the preparation and conduct of UN-facilitated negotiations. Within a Yemeni-led process, they should settle their differences through dialogue, reject violence to achieve political goals, and refrain from provocation and unilateral actions that prevent the resumption of the political transition. In parallel, the implementation of practical confidence building measures will be essential to facilitate a return to the political track such as immediate steps towards a sustainable ceasefire, a mechanism for a monitored withdrawal of forces, facilitation of humanitarian and commercial access, and the release of political prisoners. The EU renews its call on all regional actors to engage constructively with Yemeni parties in order to enable a de-escalation of the crisis and avoid further regional instability.
4. The EU urges the Government of Yemen to assume its responsibility in the fight against extremist and terrorist groups, such as Al Qaeda in the Arabian Peninsula (AQAP) and Da'esh in Yemen, which are taking advantage of the current instability. It is particularly important that all parties to the conflict take resolute action against such groups that pose a direct internal and external threat. The EU condemns all terrorist attacks in the strongest terms, in particular those against civilian and religious targets. It reaffirms its commitment to support the Government in this endeavour.

5. The EU is extremely concerned by the impact of ongoing hostilities, including bombardments, reported use of cluster munitions, fighting between competing factions on the ground and the disruption of essential services on the civilian population, in particular on children, women and other vulnerable groups. It is also very concerned by the damage inflicted to civilian infrastructure and cultural heritage. Yemen is experiencing an unprecedented humanitarian catastrophe, with 21 million people or 80% of the population in need of humanitarian assistance and 6 million in need of immediate life-saving assistance. The EU urges all parties to respect the humanitarian principles of humanity, neutrality, independence and impartiality, as well as to ensure the protection of civilians and of humanitarian aid workers. The EU is deeply concerned by the indiscriminate targeting of civilian infrastructure notably medical facilities, schools and water systems, ports and airports, and by the use of civilian buildings for military purposes. The EU regrets the deaths of humanitarian workers in Yemen since the beginning of this conflict. All parties to the conflict should urgently prioritise and facilitate sustained and systematic access, including safe passage for emergency, humanitarian and commercial goods – including fuel - through all of Yemen's ports. Onward distribution across the country must urgently and unconditionally be restored. The EU looks forward to the swift implementation of the UN Verification and Inspection Mechanism (UNVIM) for commercial shipping – including fuel - for Yemen, to which it will contribute financially. The EU and its Member States, having so far committed more than €200 million worth of humanitarian assistance to Yemen in 2015, stress once again the need for coordinated humanitarian action under UN leadership, and urge all countries to contribute to addressing humanitarian needs.

6. All parties should take all the necessary measures to ensure the respect of International Humanitarian Law and International Human Rights Law. Ensuring accountability for violations is an important part of the process to achieve a lasting settlement of the current conflict. The EU stresses the need to fully implement the resolution on *"Technical assistance and capacity-building for Yemen in the field of human rights"* adopted during the UN Human Rights Council 30th session, which inter alia requests the Office of the High Commissioner to assist the national Commission of inquiry in meeting international obligations in its work. The EU looks forward to the High Commissioner's oral update at the Council's 31st session and to a comprehensive written report during its 33rd session. It expects that the national Commission of inquiry will be able to work independently and reiterates its call for the independent investigation of all alleged violations of International Human Rights Law and International Humanitarian Law.

7. The EU and its Member States highlight the need for a concerted, coordinated and strategic approach of the international community and the Government of Yemen to the country's reconstruction, and stand ready to play their part in efforts to the benefit of all Yemenis."

European Court of Auditor's report on EU police mission in Afghanistan

The Council adopted conclusions on special report: "The EU police mission in Afghanistan: mixed results", welcoming the publication by the European Court of Auditors. The court audited for the first time solely an EU civilian CSDP mission. It assessed whether the European Union Police Mission in Afghanistan (EUPOL Afghanistan) had been effective in delivering its mandate. (See doc [14034/15.](#))

Mandate extension of the European Union Special Representative in Kosovo*

The Council extended the mandate of the European Union Special Representative (EUSR) in Kosovo* until 28 February 2017. Mr Samuel Žbogar was initially appointed on 25 February 2012.

EUSRs promote the EU's policies and interests in troubled regions and countries and play an active role in efforts to consolidate peace, stability and the rule of law. The first EUSRs were appointed in 1996. Currently, nine EUSRs support the work the High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini.

Restrictive measures in view of the situation in Tunisia

The Council reviewed the restrictive measures in the view of the situation in Tunisia in light of the information forwarded by the Tunisia authorities concerning the last developments in the judicial proceedings ongoing in Tunisia against 48 persons listed in its Decision (CFSP) 2015/157.. The Council concluded that no changes needed to be made to these designations.

Restrictive measures in view of the situation in Afghanistan

The Council amended the restrictive measures in view of the situation in Afghanistan to implement decision of the UN Security Council Committee of sanctions against the Taliban, adding on person to the list of individuals, groups, undertakings and entities subject to restrictive measures.

Restrictive measures in view of the situation in Somalia

The Council amended the restrictive measures in view of the situation in Somalia to implement a de-listing made by the UN of one deceased person.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo Declaration of Independence.

EU's position for the eight review conference of the biological weapons convention

The Council adopted the EU's position for the eighth review conference of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BTWC) taking place from November to December 2016. The Council specified a list of priorities including ensuring compliance, supporting national implementation, supporting mechanism for investigation of alleged use of biological weapons and promoting universality of the BTWC. It testifies to the strong and continued EU's commitment to strengthening the BTWC. The EU will underpin its common position with concrete actions as foreseen in the Common Position so as to substantially contribute to a successful outcome of the conference.

Disarmament and arms control activities in South East Europe - Albania

The Council added Albania to the list of beneficiaries of funding activities to reduce the threat of the illicit spread and trafficking of small arms and light weapons (SALW) and their ammunition in South East Europe. Other beneficiaries of the activities improving SALW stockpile management are Bosnia and Herzegovina, Kosovo*, the Republic of Moldova, Montenegro, Serbia and the former Yugoslav Republic of Macedonia.

EU's position for the EU-Georgia Association Council meeting

The Council adopted the EU's position for the second EU-Georgia Association Council. Among other issues, the Council will reaffirm in the association council meeting the EU's continuing commitment to political association and economic integration with Georgia and commend Georgia's active contribution to the Eastern Partnership.

Union for the Mediterranean Ministerial Conference on the blue economy

The Council adopted the position of the EU to conclude an agreement on the draft declaration at the next Union for the Mediterranean (UfM) ministerial conference for the promotion of blue economy. The conference, taking place in Brussels on 17 November 2015, aims at promoting blue economy in the Mediterranean region focusing on the further development of the blue economy, on investing on blue research, technology, innovation, knowledge and skills, and also on maritime governance.

Discussions will focus on the need to make the best use of the potential of the blue economy, to promote growth, jobs and investments and reduce poverty, whilst safeguarding healthy seas and developing a clear vision for the sustainable and integrated development of marine and maritime sectors at national and sea basin level. The expected main deliverables are the establishment of a UfM Forum on blue economy, bringing together the Mediterranean countries to exchange information, views and best practices; as well as the support for the virtual knowledge centre on marine and maritime affairs.

TRADE POLICY

EU-Bosnia and Herzegovina - Preferential rules of origin

The Council adopted the EU's position within the Stabilisation and Association Council with Bosnia and Herzegovina as regards the replacement of protocol 2 to the Stabilisation and Association Agreement in order to take into account the regional convention on pan-Euro-Mediterranean preferential rules of origin agreed in 2007. This replaces the previously used system of rules of origin for products based on bilateral free-trade agreements.
