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## OUTCOME OF THE COUNCIL MEETING

3447th Council meeting

### Foreign Affairs

Brussels, 15 February 2016

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

# P R E S S

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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**

### **Climate diplomacy**

The Council approved the following conclusions:

- "1. Recalling its conclusions of July 2015 which invited the High Representative and the Commission to report back in early 2016 on the outcome of the COP21 and its implications for climate diplomacy, the Council adopted the following conclusions.
2. The Council welcomes the Paris Climate Agreement as a landmark achievement for combating climate change, and for multilateralism. The Paris Agreement represents an ambitious, balanced, equitable and legally binding agreement. The adoption of the agreement and the cumulative announcement by the end of COP21 of Intended Nationally Determined Contributions (INDCs) by 187 Parties marked a decisive turning point towards comprehensive and collective global action, and, when implemented, will definitively and irreversibly accelerate the transition to a climate resilient, climate neutral global economy.
3. The Council congratulates the Parties to the Convention, the United Nations and the Peruvian and French COP Presidencies for their tireless effort and successful work leading to the achievement of the Paris Agreement and expresses its support to the upcoming Moroccan COP22 Presidency.
4. Ahead of and during COP21, the EU and its Member States, building on the strong track record of domestic climate action, engaged, together with many other partners, in a broad "High Ambition Coalition" across different regional groupings of developed and developing countries. This coalition played a critical role in shifting negotiations dynamics at a decisive stage of COP21 and could serve as an approach for building a coalition that would support the timely signature, swift ratification as well as the full implementation by all Parties of the Paris Agreement. Furthermore, EU diplomacy should engage Parties from third countries to encourage updating of their INDCs in order to raise ambitions towards the fulfilment of agreed goals.
5. Maintaining the positive momentum from Paris will require sustained political and diplomatic mobilisation at global level. In order to support international climate objectives, the Council welcomes the elements for climate diplomacy action in 2016 as provided by the External Action Service and the Commission services, in the annex, with a view to the development of an elaborated climate diplomacy action plan for 2016, with key messages, focused around three main strands:
  - Maintaining climate change advocacy as a strategic priority in diplomatic dialogues, public diplomacy and external policy instruments;
  - Supporting implementation of the Paris Agreement and the intended nationally determined contributions (INDC), in the context of low-emission and climate-resilient development;
  - Increasing efforts to address the nexus of climate change, natural resources, including water, prosperity, stability and migration.

6. Climate change, ambitious and urgent climate action, and the implementation of COP21 commitments must remain particular climate diplomacy priorities for the EU, including in high level bilateral and bi-regional dialogues with partner countries, the G7, the G20, at the UN and in other international fora.
7. The Council underlines that diplomatic outreach should also focus on the negotiations in the International Civil Aviation Organisation (ICAO) and the International Maritime Organisation (IMO) to address greenhouse gas emissions, as well as the Montreal Protocol negotiations on the hydrofluorocarbons (HFC) amendment.
8. The Council recognises the priority to be placed on securing ambitious global implementation of INDCs. In the context of climate diplomacy, the EU and Member States' development cooperation with third countries should fully take into account the existing synergies between climate objectives and the sustainable development goals as adopted by the 2030 Agenda for Sustainable Development and other international agendas. The role of climate diplomacy is also to advocate for public and private financial flows consistent with the pathway towards low greenhouse gas emissions and climate resilient development as referred to in the Paris Agreement, including by widening the range of contributors.
9. The Council underlines that the EU and its Member States are providing financial resources to assist developing countries with respect to both adaptation and mitigation, in continuation of their existing commitments. The Council highlights significant contributions in terms of climate finance from a variety of sources, including through the Green Climate Fund. The role of climate diplomacy is also to encourage and support initiatives such as those by the G7 on climate risk insurance and on renewable energies in Africa, the New York Declaration on Forests, ongoing work in the G20 on green finance and climate finance, and other means of implementation, giving particular attention to the needs of those particularly vulnerable to climate change.
10. The Council underlines the need for the EU and its Member States to keep working to address the direct and indirect international security impacts of climate change. For example, as part of the EU Global Strategy, the EU should therefore work at addressing the strategic and multifaceted threat posed by climate change. The potentially destabilising effects of climate change (including on migration, food security, reliable access to resources, water and energy, spread of epidemic disease, and social and economic instability) should be addressed by the EU, its Member States and partner countries, including through climate risk assessments and support to capacity building. In this context, the EU looks forward to the UN Security Council continuing its work on Climate Change.

11. The Council recognises climate change as a contributing factor to migration resulting from state fragility, insecurity and resource scarcity. By further analysing climate vulnerability links with fragility and security risk, the EU will be in a better position to identify areas where combined risks are particularly high and where there are critical opportunities for conflict prevention and resilience, including in the context of a wider migration challenge. One of the key aspects of the EU climate diplomacy should be practical support for mitigation and adaptation policies in third countries through the implementation and update of INDCs and comprehensive long-term low emission development strategies aiming at global peaking of greenhouse gas emissions as soon as possible and increasing climate resilience, while taking into account third countries' priorities and circumstances.
12. The EU will continue to advocate for the promotion and protection of human rights also in the context of climate change and climate diplomacy. In this regard, the Council also recognises the importance of ensuring women's full, equal and effective participation and equal opportunities for leadership at all levels of decision-making. Evidence shows that gender equality, women's empowerment and women's full and equal participation and leadership in economy are vital to achieve sustainable development, including climate change adaptation and mitigation.
13. The Council invites the High Representative, the Commission and the Member States, in line with their respective roles and competences, to continue coordinating and working closely together in implementing EU climate diplomacy through joint and mutually reinforcing initiatives, including pre-2020 mobilisation and post-2020 regime implementation, and overall concerted mobilisation of external action.
14. The Council invites the High Representative and the Commission to work with the Member States to develop an elaborated climate diplomacy action plan for 2016, based on the elements for climate diplomacy action, and to report back by summer 2016 on progress to date and upcoming challenges.

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ANNEX

### **Elements for climate diplomacy action in 2016**

#### **Action under strand one: Continue to advocate climate change as a strategic priority in diplomatic dialogues, public diplomacy and external policy instruments.**

- The EU and MS will use forthcoming bilateral meetings and multilateral fora, including the G7, the G20 and the UN, to make the case for continued momentum on climate action, and work with partners to create the conditions for positive action and prevent any backsliding.

- The EU and MS will fully integrate into their collective climate diplomacy priorities the objective of reaching an international agreement on a Global Market Based Mechanism to govern future greenhouse gas (GHG) emissions for international aviation at the ICAO Assembly in September 2016, give climate diplomacy support on negotiations of the International Maritime Organisation (IMO) with the objective of approving a global system of collection of data on fuel consumption and associated GHG emissions from international shipping in April 2016, and reach an agreement on the HFCs amendment under the Montreal Protocol
- Conduct collective high-level outreach via EU Delegations and Member State Embassies at appropriate intervals. These should focus on key decision makers and agents of change, including not only host Governments but also parliamentarians, non-government organisations, green industries and wider civil society. Such outreach should be linked to the policy dialogue with developing countries supported by the Global Climate Change Alliance + flagship.
- Build on the successful experiences in 2015 to enhance collective public diplomacy in host countries. For example, EU Delegations and MS embassies should collaboratively organise an enhanced "Climate Diplomacy Action Day" in 2016, and targeted outreach could be timed to coincide with the planned UN signature ceremony of the Paris agreement on 22 April 2016, and the Olympic Games.

**Actions under strand two: Support implementation of the Paris Agreement, in the context of low-emission and climate resilient development.**

- The EU and MS should work with partners to develop a full understanding of the content of INDCs, support partners in developing implementation plans, and make links to appropriate financial and technical support, in particular that provided mainly to Least Developed Countries and Small Island Developing States by the Global Climate Change Alliance + flagship. EU diplomatic services should be mobilised to encourage timely ratification.
- The EU and MS will further mainstream climate diplomacy through the concerted mobilization of their instruments of external action (including cooperation for development, neighbourhood and enlargement policies, civil protection and humanitarian policy, trade, etc.) to support ambitious climate action and strengthen resilience including through capacity building. This will include enhancing strategic collaboration with non-state actors in the context of the Lima-Paris Action Agenda.
- The EU and MS will continue to work together in exploring innovative mechanisms for mobilising additional climate finance from private investors. (For example the "Nordic finance initiative" launched by the countries of the Nordic Council at COP21.)
- COP22 in Marrakesh will be crucial for establishing practical details for implementing the Paris Agreement. An EU démarche in the run up to COP22 could explain EU views and seek support from partner countries on specific issues for Marrakesh.

**Actions under strand three: Increase efforts to address the nexus between climate, natural resources, prosperity and stability.**

- EU and MS will enhance their involvement in the climate and security policy debate at international fora, including the UN Security Council (encouraging the update of the 2009 paper by the SG), the Planetary Security Conference organised by the Netherlands, and other relevant conferences/initiatives organised by MS.
- The EU and those MS who are part of the G7 will continue engagement via the G7 on climate and fragility, acting on the findings of the G7 report on this subject.
- EU and MS will continue and enhance the inclusion of climate vulnerability analysis into fragility/security and disasters risk assessments and collaborate on the resulting risk-mitigation efforts, via all appropriate external policy instruments and in collaboration with established networks.
- The EU will continue its work under the joint EU-UNEP initiative and project on climate and security which specifically address the destabilizing effects of climate change in fragile states.
- The EU and Member States are encouraged to explore the possibility of developing a list of actions on climate & security."

**Moldova**

The Council approved the following conclusions:

- "1. The Council reaffirms its commitment to strengthening the political association and economic integration between the European Union and the Republic of Moldova. It also confirms that all Member States have ratified the Association Agreement.
2. The Council closely follows the situation in the Republic of Moldova. The European Union is convinced that the current difficulties can be solved only via constructive dialogue among all political forces in the country, which takes into account the expectations of the people of the Republic of Moldova. Tangible results on reforms are needed to restore the trust.
3. To this end, the Council calls for an accelerated implementation of the Association Agenda. The European Union remains committed to supporting the reform efforts in order to bring about the benefits of the Association Agreement, including the Deep and Comprehensive Free Trade Area, to the citizens of the Republic of Moldova.
4. The Government of the Republic of Moldova should prioritise reforms aimed at addressing the politicisation of state institutions, systemic corruption, public administration reform aimed inter alia at enhancing the effectiveness of regulatory bodies, transparency and accountability in the management of public finances as well as with regard to policy making.
5. The Council calls on the authorities of the Republic of Moldova to strengthen corporate governance in the financial sector, as well as the independence and the supervisory powers of the National Bank and of the National Commission for Financial Markets. It stresses in particular the need to appoint the Governor of the National Bank on the basis of a non-politicised, transparent and credible process.
6. The Council calls on the authorities of the Republic of Moldova to ensure that the cases of fraud that affected its banking system in 2014 are made subject to a thorough, impartial investigation, also with a view to recovering the diverted funds and to bringing those responsible to justice. It urges the authorities to undertake audits of the three banks under special supervision through high quality reports and appropriate follow-up action, in close collaboration with the IMF as well as consider a screening of the systemic risks in the banking sector. All appropriate legislative measures should be adopted, including alignment of the legal framework to counter money-laundering with the EU legislation, in order to mitigate the risk of further bank frauds.



7. The Council is concerned about the lack of independence of the judiciary and law enforcement agencies. It underlines the importance of implementing reforms which ensure the independence, effectiveness, transparency and accountability of the judiciary and of the anti-corruption institutions. The reform of the prosecution service as well as the fight against corruption within the judiciary should be addressed as priority matters, including through merit-based and transparent recruitment and promotion of judges.
8. The Council urges the Government of the Republic of Moldova to take steps to create a level-playing field for business and restore an attractive and stable investment climate, and to improve transparency and investment conditions in the energy sector. It further highlights the importance of following the obligations under the Association Agreement and the Energy Community Treaty, to adopt the relevant draft laws currently under consideration, and ensure implementation.
9. The Council reiterates the EU's readiness to assist the Republic of Moldova including through technical assistance and project support, such as peer-review missions and high level advisers. The resumption of budget support disbursements could be envisaged once political, financial and macro-economic conditions are fulfilled, including respect for budgetary oversight and transparency principles. The Council calls on the Government to inter alia establish a detailed roadmap towards an IMF programme, which is an important element in ensuring that macroeconomic concerns are addressed. The Council welcomes the invitation by the Government of the Republic of Moldova to the IMF to send a mission as soon as possible, so as to rapidly commit to establishing a comprehensive programme of stabilisation and structural reforms.
10. Effective, strategic communication, including in cooperation with civil society and independent media, on the reforms achieved and to be undertaken in the framework of the Association Agreement including its Deep and Comprehensive Free Trade Area, is of key importance to raise awareness among the citizens of the Republic of Moldova about benefits expected from political association and economic integration with the European Union.
11. The European Union welcomes the recent discussions on constitutional reform in the Republic of Moldova with a view to preventing future political deadlock. The European Union also calls on the authorities of the Republic of Moldova to address all OSCE/ODIHR recommendations, especially as regards the transparency of party financing and the accountability of elected candidates.
12. The Council recalls that the freedom of the media is an equally fundamental element of democratic life. It urges the Government of the Republic of Moldova to improve the national legislation in order to limit the concentration of media ownership and guarantee pluralism.
13. The Council welcomes the Republic of Moldova's commitment to handle the Transnistrian settlement process as a key priority, as well as the interest to resume the negotiations as soon as possible, including in the 5+2 format. The Council also welcomes the establishment of a permanent working group for cooperation between the Parliament of the Republic of Moldova and the Gagauz People's Assembly."

## **Syria**

The Council discussed the political, security and humanitarian situation in Syria. Ministers were briefed on the outcome of the Syria donors' conference held in London on 4 February 2016, and of the International Syria Support Group (ISSG) meeting in Munich on 11 February 2016.

The Council discussed how the EU can best facilitate implementation of UN Security Council resolution 2254 and support UN-led confidence-building measures and the respect of ceasefires, while ensuring full and safe access for humanitarian aid to all people in need, through delivery of assistance in an impartial and principled manner.

Ministers emphasised their full support for United Nations Security Council resolution 2254, calling for its full implementation by all parties, and discussed how the EU can best facilitate its implementation. They condemned the targeting of civilians and stressed the importance of UN-led confidence-building measures, including humanitarian access and respect for ceasefires.

Resolution 2254 was adopted unanimously by the UN Security Council on 18 December 2015, following the third meeting of the ISSG. It endorses a 'roadmap' for a peace process in Syria and sets a timetable for talks.

In Munich, ISSG members unanimously committed to immediately facilitating the full implementation of the resolution. They also agreed to set up an ISSG humanitarian task force to ensure humanitarian access, and an ISSG task force to draw up, within one week, arrangements for a nationwide cessation of hostilities.

**Belarus**

The Council approved the following conclusions:

- "1. Recalling the Council conclusions of 31 January 2011, 20 June 2011, 23 March 2012 and 15 October 2012, the Council highlights the importance it attaches to relations with the Republic of Belarus and its people.
2. At the same time, the Council remains concerned with the situation of human rights in Belarus and recalls that EU-Belarus relations should be based on common values, especially respect for human rights, democracy and the rule of law.
3. The Council acknowledges the steps taken by Belarus over the last two years that have contributed to improving EU-Belarus relations, such as the proactive participation of Belarus in the Eastern Partnership and in the Interim Phase on Modernisation Issues, the resumption of the EU-Belarus Human Rights Dialogue, the start of negotiations on Visa Facilitation and Readmission Agreements and on a Mobility Partnership, the active pursuit cooperation in harmonisation of digital markets and the signature of a Cooperation Arrangement on an Early Warning Mechanism in the energy sector. The Council also values Belarus' constructive role in the region.
4. The release of all the remaining political prisoners on 22 August 2015 was a long sought step that the EU had consistently called for. In response to the releases and the presidential elections of 11 October 2015 that were held in an environment free from violence, and taking into consideration the overall state of EU-Belarus relations, the Council agreed in October 2015 on a four-month suspension of most of the restrictive measures.

The Council recognises that there is an opportunity for EU-Belarus relations to develop on a more positive agenda and that progress in a variety of fields can better be achieved through enhanced channels of communication.

5. In this context, the Council agrees that the EU will not extend the restrictive measures for 170 individuals and three companies whose listings are currently suspended. The Council further agrees that the arms embargo and the restrictive measures related to the four individuals listed in connection with the unresolved disappearances of two opposition politicians, one businessman and one journalist, will be extended for a period of twelve months.
6. In view of the Belarusian 2016 parliamentary elections, the Council urges the Belarusian authorities to swiftly take forward the recommendations of the OSCE/ODIHR's final report on the conduct of the 11 October 2015 Presidential elections, including on the legal and procedural framework. The Council welcomes Belarus' growing openness to dialogue and cooperation with the OSCE/ODIHR. The Council recalls the importance it attaches to improvements in this area and to respect for human rights, democracy and the rule of law in Belarus.

7. The Council condemns the application of the death penalty in Belarus, and notably deplores the two recent death sentences pronounced, and urges the Belarusian authorities to set up a moratorium as a first step towards its abolition. The Council looks forward to forthcoming expert and public events on the death penalty planned to take place in 2016.

The Council reiterates its call for the reinstatement of the civil and political rights of former political prisoners and highlights the need to ensure freedom of association and assembly, including by allowing the registration of political and civil society organisations. The Council stresses the importance of a vibrant civil society to the social and economic well-being of a country, and calls on the Belarusian authorities to allow civil society to be more involved in the discussions on government policy. The Council further urges the Belarusian authorities to eliminate all obstacles to the exercise of a free and independent media, including through the registration of new media outlets and the accreditation of journalists. The Council further calls on Belarus to respect the rights of persons belonging to national minorities. The Council will continue to follow closely the situation in this regard.

8. The Council welcomes the resumption of the EU-Belarus Human Rights Dialogue and looks forward to its next round, which Belarus has offered to host in Minsk in late spring. Together with Belarus' engagement in the 2015 Universal Periodic Review these are positive steps and the Council encourages the Belarusian authorities to continue work in these areas and calls on Belarus to do so with the participation of civil society.

The EU further calls on Belarus to follow up on recommendations made by UN treaty bodies and to cooperate fully with UN special procedures - including the Special Rapporteur on the situation of human rights in Belarus - and other mechanisms. The Council encourages increased cooperation between Belarus and the Council of Europe with a view to becoming a full member.

The Council reiterates the EU's willingness to assist Belarus to meet its obligations towards democratisation and full respect for human rights, and looks forward to discuss these matters soon at a bilateral level.

9. The Council reiterates its firm commitment to strengthening the EU's engagement with the Belarusian people and civil society. The EU attaches great importance to enhanced people-to-people contacts with Belarus, to be encouraged through programmes such as Erasmus+, and looks forward to the swift conclusion of the negotiations and signature of the Visa Facilitation Agreement, the Readmission Agreement and the Mobility Partnership.
10. The Council reaffirms that good neighbourly relations and regional cooperation are important elements for enhancing EU-Belarus cooperation. Recalling its conclusions of 20 July 2015 on Energy Diplomacy the Council reiterates the importance of ensuring nuclear safety beyond the borders of the EU and calls on Belarus to cooperate constructively with the relevant international authorities in this regard.

11. The Council remains open to the further development of EU-Belarus relations, and to taking further steps to enhance political relations and sectoral cooperation in the appropriate context. The Council welcomes the Commission's intention to start Twinning cooperation with Belarus this year. It underlines the importance of the ENP Review and notes that Belarus provides a good opportunity to apply a differentiated approach. The Council therefore decided to accelerate the implementation of measures aimed at enhancing EU-Belarus cooperation in a number of economic, trade and assistance related fields, with the goal of modernising Belarus and its economy and for the benefit of the Belarusian population, including in view of WTO accession and in cooperation with International Financial Institutions, in particular the EIB and the EBRD in line with their respective mandates. The Council also encourages Belarus to accelerate much needed economic reforms. Tangible steps taken by Belarus to respect universal fundamental freedoms, rule of law and human rights will remain key for the shaping of the EU's future policy towards Belarus.
  
12. The Council will remain seized of the work of the EU-Belarus Coordination Group as a follow-up to the Interim Phase on modernisation issues, including an agenda which contains human rights issues, and looks forward to the involvement of civil society."

**On the margins of the Council:**

– *EU-Kyrgyz Republic Cooperation Council*

The Council approved the EU's position regarding the agenda set for the 14th meeting of the EU-Kyrgyz Republic Cooperation Council.

For details, see the [press release](#).

**OTHER ITEMS APPROVED****FOREIGN AFFAIRS****EU priorities at UN Human Rights Fora in 2016**

The Council approved the following conclusions:

- "1. In this 10th anniversary year of the UN Human Rights Council and ahead of its 31st session, the EU reaffirms its strong commitment to the United Nations bodies tasked with the promotion and protection of human rights. The EU will again actively engage with the Human Rights Council and General Assembly Third Committee to defend and promote the universality, indivisibility, and interdependence of human rights, and will continue to draw the attention of these fora to human rights violations and abuses worldwide.
2. Welcoming the dedication and work of the UN High Commissioner for Human Rights and his staff, the EU will continue to support and defend the integrity, independence and functioning of the Office of the High Commissioner for Human Rights, which undertakes essential work in advancing human rights worldwide and translating norms into improvements on the ground.
3. The EU promotes a proactive, responsive, and impactful UN human rights system and strongly supports further mainstreaming of human rights across the work of the United Nations. In that vein, the EU seeks cooperation with partners from all regions to ensure that the UN bodies pursue an ambitious thematic agenda and address the gravest human rights situations around the world, clearly condemning in the strongest terms human rights violations and abuses, as well as violence and discrimination.
4. The EU calls on all states to offer their full cooperation with the UN Human Rights Council Special Procedures, including by ensuring mandate holders' unhindered access to and contact with individuals and civil society. The EU underlines the importance of the Universal Periodic Review and calls upon all countries to fully engage with and commit to this process. Similarly, the EU reaffirms its strong support for the UN treaty bodies, which play a fundamental role in monitoring compliance with human rights obligations.

5. Syria is host to the most acute and dire human rights and humanitarian crisis of recent history, which must be given the full attention of the UN human rights bodies. The EU calls for an immediate end of human rights violations and abuses by the Assad regime and all other parties to the conflict; supports the continued work of the Commission of Inquiry; urges all actors to allow immediate, unhindered, and ongoing access for humanitarian assistance; demands full accountability and an end to impunity; and again reiterates its call to the UN Security Council to refer the situation in Syria to the International Criminal Court. The EU also continues to condemn in the strongest terms the continued gross, systematic and widespread human rights abuses carried out by Da'esh, including in Syria, Iraq and Libya, and calls for accountability for these acts. Furthermore the EU urges the Government of Iraq, as well as the Kurdistan Regional Government, to uphold the rights of all Iraqi citizens and ensure that allegations of violations and abuses are fully investigated.
6. Given the ongoing and grave human rights situation in the DPRK, the EU will continue working with Japan and like-minded partners to draw attention to the human rights violations committed by the DPRK, and to keep up the momentum for international accountability efforts, and renews its call for the UN Security Council to consider the referral of the situation in the DPRK to the International Criminal Court.
7. The EU will highlight the serious human rights violations and abuses linked to the conflict in eastern Ukraine and the deeply concerning human rights situation on the Crimean peninsula, the illegal annexation of which by the Russian Federation the EU does not recognise and continues to condemn. The EU lends full support to the UN Human Rights Monitoring Mission in Ukraine and calls on all actors involved to respect international humanitarian and human rights law. The overall strengthening of the rule of law also remains of fundamental importance for the observance of human rights and fundamental freedoms in Ukraine.
8. The EU will ensure that heightened attention is devoted to the deteriorating human rights situation in Burundi, and reiterates its call for an end to violence and human rights violations and abuses. The EU will continue to insist on an adequate and effective response from the HRC to the distressing state of affairs in South Sudan, where hostilities have led to massive human rights violations. The EU again condemns the abuses of human rights perpetrated by terrorist groups in Africa, especially the attacks targeting women and children by Boko Haram. In this, the African Year of Human Rights, the EU will engage with African partners to support Human Rights Council action on the Central African Republic, Mali, the Democratic Republic of the Congo, Eritrea, and Sudan.



9. In light of ongoing human rights violations and the high rate of executions in Iran, and with a view to improving the human rights situation, the EU will again support the extension of the mandate of the Special Rapporteur. The EU will also promote appropriate Human Rights Council attention to the situation of human rights in Libya and the occupied Palestinian territory. The EU will also seek appropriate action on the deteriorating humanitarian and human rights situation in Yemen. The EU remains concerned about individuals sentenced to death in Saudi Arabia for actions they committed as minors and mass executions. The EU will continue to follow closely the human rights situation in Belarus.
10. Welcoming the historic elections in Myanmar/Burma in November 2015, the EU will review its initiatives in the light of developments on the ground, encouraging the new government to take swift and bold action to address ongoing human rights concerns and bring about further improvements. The EU will also follow closely Sri Lanka's efforts in addressing human rights issues and in establishing a credible process of transitional justice, accountability, and reconciliation.
11. As a firm advocate of the abolition of the death penalty, the EU is opposed to the death penalty whenever and wherever it is used. The EU will speak out against executions particularly in the case of mass executions or when the death penalty is applied to offences committed by those under 18. The EU will continue to draw attention to violations of minimum standards. Concerned by the number of countries resuming executions, the EU will seek to reinforce cross-regional support to the resolution on a moratorium on the death penalty at the General Assembly. The EU will also speak out and support the UN's work against torture and other cruel, inhumane and degrading treatment or punishment.
12. The EU will further uphold the freedoms of opinion and expression offline and online, and the freedoms of association and assembly, as cornerstones of democracy and contributors to the peaceful resolution of conflict. Valuing a strong partnership with civil society, the EU opposes the imposition of unjustified or disproportionate restrictions on the activities, registration, and access to funding of civil society organisations, including in the name of combatting terrorism. The EU further condemns all instances of harassment, intimidation, or persecution, including violent attacks and killings, of human rights defenders, journalists, or bloggers; and deplores all acts of reprisal against individuals and civil society organisations for cooperating with the United Nations.
13. The EU will promote the principles of equality and non-discrimination, firmly opposing discrimination on any ground or status, including discrimination based on sexual orientation and gender identity. The EU reaffirms its strong and worldwide opposition to all forms of racism, racial discrimination, xenophobia, and related intolerance. The EU will also continue to promote freedom of religion or belief, strongly oppose religious intolerance, and call for greater protection of persons belonging to religious and other minorities against persecution and violence. As freedom of religion or belief and freedom of expression are interdependent, promoting both is integral to the fight against intolerance and discrimination based on religion or belief.

14. Resolved to promote gender equality, women's empowerment and the advancement of women's rights, the Council recalls its conclusions on Gender in Development of 26 May 2015 and renews its strong commitment to gender equality, human rights, the empowerment of women and girls and the eradication of gender-based violence. The EU remains committed to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the ICPD and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights, in this context. The EU will continue to pursue efforts to implement effectively UN Security Council resolution 1325 and subsequent resolutions on Women, Peace, and Security. Moreover, the EU will step up efforts to prevent and eliminate all forms of violence against women and girls around the world.
15. In keeping with its longstanding policy, the EU will work for the promotion and protection of the rights of the child worldwide. The EU will intensify work to protect girls and boys from all forms of violence and abuse, sexual exploitation, and harmful practices, such as female genital mutilation and child, early, and forced marriage. The EU will also remain invested in the international work to protect and assist children affected by armed conflict.
16. The EU underlines the importance of comprehensive and effective implementation of the Agenda 2030, including through a rights-based approach, encompassing all human rights and gender equality, to realizing the Sustainable Development Goals, and will advocate for the promotion and protection of human rights in the context of climate change. In 2016, the EU will moreover step up efforts to advance the protection and promotion of economic, social and cultural rights. The EU will also implement and promote, including with third countries, the UN Guiding Principles on Business and Human Rights and support efforts to improve access to effective remedies.
17. The EU will underline the importance of compliance with international refugee law and of protecting the human rights of asylum seekers, refugees, migrants, and all displaced persons, particularly bearing in mind the specific risks faced by women and children. The Union, amongst many others, faces a major challenge in responding to the global refugee crisis, but remains steadfast in its commitment to guaranteeing the right to asylum and the highest level of protection of human rights for all.
18. Fifty years after the adoption of the International Covenants on Economic, Social, and Cultural Rights and on Civil and Political Rights in 1966, the EU issues a renewed call for their universal ratification. Recalling the Strategic Framework on Human Rights and Democracy and the Action Plan on Human Rights and Democracy for 2015–2019, the EU reaffirms its commitment to the universality, indivisibility and interdependence of all human rights. The EU will engage countries, organisations and stakeholders from all regions, including through the EU Special Representative for Human Rights, to promote the realization of all human rights, everywhere and for everyone."

## Burundi

The Council approved the following conclusions:

- "1. Despite all the efforts of the international community, the situation in Burundi remains deadlocked. The country is the scene of recurrent violence and violations and abuses of human rights. The European Union (EU) strongly condemns any use of force to solve the crisis in Burundi. The lack of the prospect of a political solution increases the risk of hardening positions and violent confrontation. The situation is likely to be worsened by the country's economic fragility. In that context, the EU reiterates the priority it attaches to protecting and supporting the population.
2. Only an inclusive political dialogue, under international mediation and in compliance with the Arusha Agreement and the Constitution of Burundi, can provide a solution to the crisis. The EU commends the mediation efforts of the East African Community (EAC), which helped to organise the first inter-Burundian dialogue meeting on 28 December in Entebbe. The inter-Burundian dialogue must be resumed urgently in a truly inclusive framework and without preconditions. The EU calls on all parties, and in particular the Burundian authorities, to subscribe to that approach.
3. The EU takes note of the decisions adopted by the Peace and Security Council of the African Union (AU), at its 571st meeting, held on 29 January 2016, at the level of Heads of State and Government. The EU welcomes the AU's decision to dispatch a very high level AU delegation to Burundi to meet with the highest authorities of the Republic of Burundi, as well as with other Burundian stakeholders. It should travel to Burundi as quickly as possible in order to launch consultations on the inclusive inter-Burundian dialogue. The EU welcomes the entreaty to all Burundian stakeholders to respond, unconditionally and without delay, to the call of the mediator for the continuation of a genuine and inclusive dialogue. The EU is also encouraged by the AU's strong condemnation of all acts of violence, whoever the perpetrators, and its condemnation of the persistence of impunity.
4. The EU welcomes the visit of the United Nations Security Council (UNSC) to Burundi on 21 and 22 January 2016, and stresses the importance attributed by the members of the UNSC to the need for a political solution for Burundi, supported by an international presence in the country. In that context it welcomes the work of the Special Adviser to the Secretary-General. The EU supports the increased involvement of the UN, AU and EAC in mediation efforts, and reiterates its commitment to supporting mediation.

Recalling the need for the international community to be able to cope with a worsening of the situation, the EU stresses the importance of continuing work in that regard and reiterates its commitment to supporting the steps taken by the UN and the AU to prepare coordinated emergency plans.

5. The EU will adopt the appropriate measures necessary in view of the lack of positive signals. The fact is that consultations under Article 96 of the Cotonou Agreement, held in Brussels on 8 December, were not able to remedy Burundi's failure to respect essential elements of the partnership. The full participation of the Government of Burundi in the inter-Burundian dialogue, as requested by the UN Security Council and the AU's Peace and Security Council, is essential. Any other step towards de-escalation and political opening will also be a very significant positive signal. The EU, which is one of Burundi's main development partners, confirms its willingness to continue its support for the Burundian population through its development activities.
6. The EU remains ready to fund humanitarian actions to assist the Burundian population and calls on the authorities to ensure immediate, safe and unhindered access for humanitarian workers in Burundi.
7. The recent attacks by armed rebel groups against law enforcement officials and the country's institutions are unacceptable, as is the disproportionate use of force in retaliation by the internal security forces. The EU expresses its solidarity with all the victims of violence.
8. The EU points out that any individual involved in acts of violence and violations or serious abuses of human rights, including incitement to hatred, must be held responsible and brought to account in a court of law. The EU draws attention to the restrictive measures it adopted on 1 October 2015 and stands ready to impose restrictive measures against those whose actions might have led or might lead to acts of violence and repression, serious human rights violations, and/or might hamper the search for a political solution within the framework proposed by the AU and the EAC.
9. The EU remains extremely concerned by the increasing number of reported cases of violations and abuses of human rights, some of which involve the security forces. The reports from the UN High Commissioner for Human Rights on the alleged existence of mass graves, cases of sexual violence, arbitrary detentions, disappearances and summary executions are alarming and call for full clarification through the establishment of a thorough, impartial and credible investigation.
10. In addition, the EU expresses its deep concern about the continued intimidation and harassment of representatives of the opposition and civil society. It reminds the Burundian Government of its international obligations under the International Covenant on Civil and Political Rights, in particular regarding the respect of fundamental freedoms and the rule of law and the handling of court cases, in particular the right to a fair and impartial trial. It encourages the Burundian Government to guarantee freedom of expression as well as freedom of the press, enabling Burundian and foreign journalists to investigate and report without hindrance or intimidation. The opposition must refrain from the use of violence.

11. In this regard, the EU fully supports the deployment of AU experts and the dispatch of an expert mission by the UN High Commissioner for Human Rights in accordance with the resolution adopted by the UN Human Rights Council at its extraordinary meeting on 17 December 2015. Taking also into account Burundi's recent election at the UN Human Rights Council, the EU calls on the Burundian authorities to facilitate immediate deployment of these experts and the expert mission; it considers that their presence will help de-escalate the situation and protect the population.
12. Significant progress has been made in cooperation and development in the Great Lakes Region in recent years. The crisis in Burundi calls into question recent progress. The EU calls on countries in the region to show responsibility and contribute to a solution to the crisis, and not to support the activities of armed movements in any way."

## Somalia

The Council approved the following conclusions:

- "1. The Somali Compact launched at the Brussels New Deal Conference for Somalia in September 2013 has provided an essential framework for the reconstruction of Somalia. It has allowed for coordinated support to Somali authorities for the promotion of an inclusive political process, security, the rule of law and socio-economic development. It is the keystone of Somalia's partnership with the international community. The EU highlights the importance of renewing the Compact beyond 2016, whilst preserving its essential elements. The EU reaffirms its commitment to support the development and stability of Somalia.
2. The EU will continue to work closely with the Somali authorities, the United Nations (UN), the African Union (AU) and the Intergovernmental Authority on Development (IGAD) as well as other key actors, in the immediate region and beyond, and looks forward to the forthcoming Ministerial High Level Partnership Forum (HLPF) on Somalia in Istanbul to assess next steps in its partnership with Somalia. This meeting should focus on finalising the political process, securing Somalia and restoring state authority and public services in the territories recovered from al-Shabaab.
3. Somalia has entered a crucial year to consolidate political progress, notably on the formation of interim regional administrations, and to succeed in the electoral process by August 2016. Further genuine progress depends on Somali-led inclusive and accountable political processes, which should ensure participation of all, including women and persons belonging to minorities. The EU welcomes the progress of the state formation process and calls for the swift finalisation of an interim regional administration in Hiraaan and Middle Shabelle, and for the definition of the status of Benadir. Reconciliation, inclusivity and capacity-building at the local level are crucial to prevent frictions, and to ensure the long term security and sustainability of a federal Somalia. The EU urges the Federal Government of Somalia (FGS) to revitalise the constitutional review process, with a view to adopting a Constitution that is widely consulted and supports cooperation and coordination among the various Regional Administrations.

4. The recent decision on the model for the electoral process represents an important step forward. The EU looks forward to its swift implementation and constructive engagement from all stakeholders, including the Parliament, in order to comply with constitutional deadlines. The EU welcomes the 30 percent quota for women in both houses of parliament and expects all Somali leaders to adhere to the commitment. To ensure the respect of electoral process deadlines, an implementation plan should be presented by the Somali authorities at the next HLPF; extension of the mandate of the Parliament would not be acceptable. This year's electoral process should mark a significant improvement in comparison with the 2012 process and should be more legitimate and inclusive. It should also be a step towards holding one-person-one-vote elections in 2020, planning for which needs to start now. The EU is ready to support the process, but highlights the need for the Somali political leadership and all stakeholders to honour their commitments.
5. Security and stabilisation of the country still remain a key priority and a prerequisite for sustainable state-building and development. The EU strongly condemns all terrorist attacks by al-Shabaab, including the recent large-scale attacks on the AU Mission to Somalia (AMISOM) and pays tribute to the sacrifices made by AMISOM, the Somali National Army (SNA) troops, as well as by Somali civilians. The EU recognises the significant territorial gains and overall progress, made by the SNA and AMISOM since its launch in restoring peace and security in Somalia and in the fight against al-Shabaab, but underlines that the overall security situation remains volatile.
- The EU, through its African Peace Facility (APF), has been a crucial supporter of AMISOM since 2007 in its efforts to fulfil its mandate to defeat al-Shabaab. The mission's operational effectiveness needs to be revitalised and enhanced. In this context, the EU recalls the results of the joint AU-UN benchmarking exercise and its recommendations, endorsed in UN Security Council Resolution 2232 (2015). It underlines the importance to resume offensive operations against al-Shabaab in a well coordinated manner, in full compliance with qualitative improvements requested by UNSC and with applicable international law. Enhanced operational effectiveness should be achieved notably by strengthening Command and Control structures, by closer cooperation, under the leadership of the AU, among Troop Contributing Countries as well as by further coordination with the SNA and Somali Police Forces (SPF). The EU encourages further review of their campaign planning.
- AMISOM forces must observe international human rights and humanitarian law and ensure the protection of civilians. In this context, the EU welcomes the creation of the Civilian Casualty Tracking, Analysis, and Response Cell within AMISOM and looks forward to the publication of its first progress report. Military advances should be aligned with stabilisation support efforts by Somali authorities to establish or improve governance structures in the recovered areas and by the provision of basic services, including security. The participation of women in roles as peacemakers and in governance structures should be increased.

6. Security and stabilisation can only become sustainable if supported by an effective SNA and an integrated civilian stabilisation effort, including SPF, followed by a quick deployment of a civil administration. Therefore, the EU regrets the limited progress in the development of an overall National Security Architecture that is essential for a sustainable security sector. It urges the Somali authorities to prioritise the fight against al-Shabaab and to focus on speedy, coordinated and sustainable integration of regional forces as well as renewed commitment to, and implementation of, the President's pledge for significant reforms of the security sector, with a particular focus on financial management systems. The FGS has an obligation to pay its security forces and progress should be accelerated to implement a realistic security sector budget, as well as to increase transparency, accountability and civilian oversight. Poor financial accountability and absence of payroll reform risk undermining current achievements. The swift implementation of the Guulwade (Victory) Plan will be essential to AMISOM's eventual exit strategy. As the mandate and model for the SPF are emerging, the Heegan (Readiness) Plan needs to be finalised, supported at political level and operationalized. Essential conditions for balanced development and peace dividends across the country can be created on this basis. The EU reiterates its strong and urgent call on the AU and Somali authorities to invite other partners, especially from the immediate region, to contribute substantially to sustainable and predictable funding both for AMISOM and for the Somali security forces.
7. The EU welcomes the effective contribution of the CSDP missions and operation in Somalia and the Horn of Africa. Following a comprehensive review of this engagement, the Council confirms its intention to extend the mandates of the three CSDP missions and operation until December 2018, with a view to further enhancing the EU's Comprehensive Approach in Somalia and the Horn of Africa, in particular the security-development nexus. In this regard, the EU reiterates its resolve to implement as soon as possible its initiative for Capacity Building in support of Security and Development (CBSD). In particular, the EU considers it indispensable to build up the capacities of Somali defence institutions, including by the provision of equipment to train and maintain needed capabilities. The military CSDP Training Mission in Somalia (EUTM Somalia) will therefore continue to provide strategic advice to the Ministry of Defence and the General Staff as well as provide direct training support to the Somali National Army. The EU furthermore recognises that the dramatic reduction in pirate activity in the Western Indian Ocean is a major achievement and commends the significant contribution of counter-piracy operations such as EUNAVFOR Operation ATALANTA to this end. However, criminal networks ashore still exist and the threat of resurgence of piracy therefore remains. Hence, it welcomes the continued focus of Operation ATALANTA on countering piracy off the coast of Somalia, albeit with a downscaled force posture, while retaining the capacity to scale up should piracy resurge. The EU calls on the Federal Government of Somalia to further increase its contribution to counter-piracy and maritime security. It also welcomes the important role of EUCAP Nestor, in cooperation with other actors, including EU's Maritime Security Programme and the Critical Maritime Routes Programme, to reinforce civilian maritime security capacities in Somalia, including by contributing to a pertinent rule of law framework in Somalia. Moving forward the mission will be renamed and refocused.

8. The EU recalls the adoption of the Horn of Africa Regional Action Plan 2015-2020 in October 2015 and notes that trans-regional threats such as trafficking in human beings and drugs, smuggling of migrants, illegal trade in charcoal, illegal fishing and proliferation of small arms and light weapons require increased attention, especially where such illegal activities form a source of income for al-Shabaab and other spoilers. The EU is concerned about the possible spill over effects of the conflict in Yemen as well as the importance of ongoing regional rivalries on efforts towards the stabilisation of Somalia and calls on all partners to ensure that their interventions are conducive to the country's successful transition.
9. The EU is alarmed by continued serious violations of international humanitarian law and violations and abuses of human rights, including violence against women and children and attacks against journalists. It is essential to bring those responsible to justice. The EU encourages the Federal Government to take concrete measures to implement fully its Human Rights Roadmap adopted in August 2013 and to increase efforts in implementing its action plans on children and armed conflict, as well as to apply a moratorium on the death penalty. The EU also encourages the Somali authorities to enact the necessary legislation to operationalize its Human Rights Commission.
10. The EU urges the FGS to continue the implementation of financial governance reforms in order to improve transparency and accountability of the government's finances with a view to increasing public and donor confidence. Efforts to strengthen the public financial management systems are an important building block towards debt relief. The forthcoming National Development Plan should enable Somali ownership, capacity development, and support implementation at the decentralised level.
11. In the context of the Valletta Action Plan and the Khartoum Process, the EU looks forward to working with the FGS on promoting and facilitating the voluntary return and reintegration of refugees and internally displaced persons, subject to the situation on the ground, as well as the return of Somalis who do not have legal basis to stay in the EU. During the October 2015 Brussels Conference, the EU renewed its commitment to provide assistance to support the 2013 Tripartite Agreement on Voluntary Repatriation of Somali Refugees from Kenya between the Governments of Kenya and Somalia, and UNHCR through the Emergency Trust Fund for Stability and Addressing the Root Causes of Irregular Migration and Displaced Persons in Africa.
12. The EU is concerned about the persistently high levels of humanitarian needs in Somalia currently exacerbated by El Niño. The EU remains committed to the provision of principled humanitarian assistance based on needs, provided in a neutral, impartial and independent manner and notes that a total of 166 M€ of EU and member states humanitarian assistance has been made available since 2015. The EU recognises the necessity of finding durable solutions to address the root causes of the persistent humanitarian needs. The EU also recognises the continued need to strengthen the resilience of vulnerable populations and enhance emergency preparedness."



## **Zimbabwe - sanctions**

The Council prolonged EU restrictive measures against two persons and one entity in Zimbabwe until 20 February 2017, while removing the names of 78 persons and 8 entities from the list of those targeted by the measures.

The decision maintains the application of restrictive measures for 7 persons and one entity, but it renews the suspension of measures for five of these persons.

For details, see the [press release](#).

## **Special representative for human rights - financial reference amount**

The Council set a financial reference amount of €825 000 to cover the expenditure related to the mandate of the EU Special Representative for Human Rights from 1 March 2016 to 28 February 2017.

On 25 July 2012, the Council appointed Stavros Lambrinidis as the EU Special Representative for Human Rights. On 17 February 2015, it extended his mandate until 28 February 2017.

## **COMMON FOREIGN AND SECURITY POLICY**

### **EU border assistance mission in Libya - mandate extension**

The Council extended the mandate of the civilian EU integrated border management assistance mission in Libya by six months, until 21 August 2016.

It set a financial reference amount of €4 475 000 to cover the expenditure related to the mission for the period from 22 February 2016 to 21 August 2016.

For details, see the [press release](#).

### **Exercises and exercise-related activities under the CFSP 2016-2020**

The Council adopted the draft European Union Programme of Exercises and Exercise-Related Activities under the CFSP 2016-2020 as set out in document 5911/16 and will send it to NATO.

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