Foreign Affairs Council meeting
Brussels, 29 January 2015

Council conclusions on Ukraine

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The Council adopted the following conclusions:

"1. The Council strongly condemns the indiscriminate shelling of the residential areas, especially in Mariupol and the recent escalation of fighting in the Donetsk and Luhansk regions of Ukraine. The Council is shocked by the high number of casualties. It notes evidence of continued and growing support given to the separatists by Russia, which underlines Russia's responsibility. The Council expects Russia to exert its influence and to induce the separatists, without delay to stop their hostile actions and live up fully to their commitments under the Minsk agreements, including notably the cessation of hostilities and the withdrawal of heavy weapons from the security zone along the line of contact foreseen in the Minsk Memorandum, as urgent first steps, which the Foreign Ministers of France, Germany, Russia and Ukraine called for in the Joint Statement, following their talks in Berlin on 21 January. Recalling the European Council conclusions of 30 August, 24 October and 18 December 2014, the Council calls on all sides to fully assume their responsibility and to implement their commitments under the Minsk agreements. It calls in particular on the Russian Federation to condemn the separatists' actions. Public statements distorting the reality on the ground, inciting to further violence, as well as publicly humiliating hostages in violation of the international law will not lead to the badly needed de-escalation. All signatories of the Minsk agreements should convene as a matter of urgency within the framework of the Trilateral Contact Group to this effect.

2. The European Union will actively support all diplomatic efforts conducive to creating a new political impetus, notably those currently ongoing under OSCE auspices, and will engage further as necessary. These efforts should be undertaken in good faith and lead to meaningful results. Full implementation of the Minsk agreements as the basis for a sustainable political solution to the conflict, respecting Ukraine's independence, sovereignty and territorial integrity, must remain the focus of such talks. Progress must be made on the withdrawal of illegal and foreign armed groups, military equipment, fighters and mercenaries, freeing of all hostages, securing the Ukrainian-Russian border with permanent monitoring by the OSCE, as well as early local elections in parts of the Donetsk and Luhansk regions in the framework of the

Ukrainian law on interim self-governance and an inclusive national dialogue, notably on issues such as constitutional reform and decentralisation.

3. In view of the worsening situation the Council agrees to extend, in full compliance with the requirements of EU law, the restrictive measures targeting persons and entities for threatening or undermining Ukraine's sovereignty and territorial integrity, adopted in March 2014 and subsequently updated, until September 2015. Moreover, it calls on the High Representative and the Commission to present within a week a proposal on additional listings for decision at the FAC on February 9, 2015. The Council will continue to closely follow the situation on the ground and the current diplomatic efforts, and asks that further preparatory work by the Commission Services and the EEAS be undertaken on any appropriate action, aiming at ensuring a swift and comprehensive implementation of the Minsk agreements.

4. The EU will continue to work closely with international partners, including the OSCE and the Council of Europe. The Council reiterates its appreciation of the OSCE's role, in particular through the presence on the ground and objective reporting of the OSCE Special Monitoring Mission to Ukraine as well as the efforts of the Special Representative of the Chairperson-in-Office in the Trilateral Contact Group. The Council calls on all parties to ensure free and safe access for the SMM's monitors and unmanned aerial vehicles to all parts of Ukraine, including all parts of the Donetsk and Luhansk Oblasts and areas along the state border with Russia. The Council reiterates its support for the swift expansion of the SMM to its full capacity and the expansion of the mandate of OSCE Observer Mission at the Russian border checkpoints with a view of re-establishing Ukrainian control of its border with Russia.

5. The Council encourages the Ukrainian authorities to swiftly take the intended legal steps enabling the International Criminal Court to examine the alleged crimes against humanity, committed on the territory of Ukraine in 2014-2015. The Council reiterates the importance of moving forward with the ratification of the Rome Statute by Ukraine, as it has committed to in the Association Agreement.

6. The Council condemns the raid on the premises of the ATR television, which represents the most recent act of persecution and intimidation of the Crimean Tatar community and another attempt to limit freedom of expression and media on the peninsula. The Council reiterates its call on all parties to provide international human rights actors with full, free and unrestricted access to the whole territory of Ukraine, including Crimea and Sevastopol, the illegal annexation of which the EU condemns and will not recognise.

7. The Council tasks the High Representative / Vice President to step up efforts, in cooperation with Member States and EU institutions, to further improve strategic communication in support of EU policies and to explore options for the establishment of a dedicated communication team to lead these actions. Such efforts should include proactive communication of EU policies, correcting misinformation when it appears,

and support for the further development of independent media throughout the region.

8. The Council notes with concern recent Russian statements questioning the investigation into the downing of flight MH 17. The Council emphasises that this investigation is carried out by a fully independent expert team of international experts in full compliance with ICAO rules and regulations, and calls on all parties to fully cooperate with the investigation.

9. The Council reiterates its call on the Government of Ukraine to accelerate the implementation of political and economic reforms. It urges Ukraine to deliver concrete results in key reform areas to reply to the population's aspirations of a democratic and modernised Ukraine, respecting the rights of persons belonging to national minorities. These reforms should stabilize the economic, financial and political situation and anchor the support of the international community, including by developing a climate suitable for investment, notably in view of a possible international conference in support of Ukraine. It welcomes some recent reform steps, including the adoption of the fiscal decentralisation laws. It recalls that a reinvigorated reform process, including the adequate preparation for the future implementation of Title IV of the Association Agreement, will be crucial in view of Ukraine's political association and economic integration with the EU. The Council welcomes the Commission's proposal for macro-financial assistance to Ukraine and looks forward to its swift adoption.

10. The European Union expresses its grave concern about the deteriorating humanitarian situation in the Donbas region of Ukraine. It urges all parties to fully respect international law, to protect civilians and humanitarian workers and to ensure unhindered access for humanitarian organisations in line with international humanitarian law and principles.

The EU remains committed to support the most vulnerable population affected by the conflict with now a total of 900,000 internally displaced people and 600,000 refugees who are forced to leave combat zones at short notice and are in dire need of assistance. In this respect, the EU welcomes the recent decision of the Commission together with the Member States, to mobilise additional funding and in-kind assistance to cover most urgent needs, as communicated during the recent visit of Commissioner Stylianides to Ukraine. So far, the EU's humanitarian and early recovery assistance amounts to a total of EUR 95 million. The Council calls on all international donors to respond to the increasing humanitarian needs in a coordinated manner, on the basis of the UN Strategic Response Plan."